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ACQUISITION GUIDELINE

NPS - 62



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INTRODUCTION

The purpose of this Guideline is to consolidate National Park Service acquisition policy and procedural guidance into a single document. This Guideline implements and supplements the Federal Acquisition Regulation (FAR) and the Department of the Interior Acquisition Regulations (DIAR) as well as other Federal and agency-specific requirements.

The Guideline addresses a wide range of acquisition-related topics. Some chapters address program and/or technical management responsibilities and requirements, others address internal contracting functions which may be of little interest for those outside of the contracting activity. A responsibilities section has been incorporated into each chapter so that you will be able to identify at a glance, those topic areas in which you hold responsibilities.

Several of the chapters have been released previously in the form of Special or Staff Directives or memoranda signed by the Directorate. In these instances, the previous policy issuance has been identified at the beginning of the Chapter as well as instructions concerning its disposition.

ACQUISITION PLANNING SYSTEM (Advance Acquisition Planning)

This Chapter provides specific implementation procedures for advance acquisition planning in the National Park Service and supplements the information in 404 DM and FAR 7.1. This Guideline supersedes and renders obsolete NPS Special Directive 83-1.

General

The objective of acquisition planning is to analyze each applicable contract requirement in terms of what is needed, when it is needed, and then to develop a plan for acquiring the needed supplies or services within the constraints of law, policy, technology, personnel, resources, organizations, and external business and economic factors.

Policy

It is Departmental Policy that procurement planning shall be accomplished to assure that contracts, meeting all the requirements of law, policy, and regulations, are issued in a timely manner. Within the Department of the Interior, National Park Service, formal procurement planning will be accomplished for requirements anticipated to meet or exceed \$10,000. Two levels of detail planning will be required: (1) advance acquisition plans, and (2) individual contract plans. Individual contract plans must be accomplished in accordance with Chapter 2 of this Guideline by using the standard format for Individual Acquisition Plan and Rationale Document.

Responsibilities

1. The Program Manager is responsible for preparing and maintaining the advance acquisition plan (see Exhibit 2) and for assuring that all necessary coordination with the Procurement, Business Utilization and Development, and Budget Offices has taken place. A copy of the advance acquisition plan, as approved by the Office Chiefs, the Associate and Assistant Directors in WASO, the Associate Regional Directors in the Regions, and the Center Managers, at the beginning of a new fiscal year (exact date will be set by the servicing contracting office), will be provided to the Contracting Office. Program Managers are also encouraged to complete advance plans for procurement actions less than \$10,000, particularly those involving management consulting services.

2. The Contracting Officer is responsible for assisting the Program Office in the preparation of Individual Acquisition Plan and Rationale Document AFTER approval of the ADVANCE ACQUISITION PLAN.

3. The Office Chiefs, the Associate Directors and Assistant Directors in WASO, the Associate Regional Directors in the Regions, and the Center Managers in the Denver Service Center and Harpers Ferry Center, are responsible for approving Advance Acquisition Plans for their respective program areas. Changes and additions to the plans are subject to the same approvals.
4. The Chief, Administrative Services Division (WASO), the Associate Regional Directors, Administration, and the Center Managers in the Denver Service Center and Harpers Ferry Center are responsible for consolidating the approved advance acquisition plans from the program areas and preparing the Summary of Planned Contract Actions (see Exhibit 1) by November 10 each year for submission to the Administrative Services Division (WASO). This responsibility continues through the fiscal year as quarterly updates of the annual reports are required.
5. Budget/Finance Officers are responsible for supplying and coordinating budgetary information for the program offices and contracting offices at the time of budget formulation and throughout the course of various projects' performance.
6. Small and Disadvantaged Business Utilization Specialists are responsible for formulating and coordinating procurement goals with the contracting offices and providing listings of potential contractors in the various socioeconomic programs.

Preparation Timetable

Advance acquisition plans will be prepared during budget formulation. They will be completed, with all necessary approvals, and consolidated into the Summary of Planned Contract Actions by November 10 of each year for the current fiscal year. Quarterly updates, reflecting any additions, cancellations, or modifications of the annual plan, are required within 10 days after the end of quarters 1, 2, and 3. The advance acquisition plans will be based on funding levels contained in the budget justification. Program managers are encouraged to begin planning on a 3-year level during budget formulation to prepare a 3-year advance macro overview of anticipated procurement action.

Advance Acquisition Planning During Budget Formulation

Identify, during the latter stages of the budget formulation process, procurements which are planned to be accomplished. With the assistance of your servicing contracting office, determine the appropriate procurement administrative lead times (PALT) for each planned contractual action. Procurement lead times for the purpose of advance acquisition planning (Exhibit 2) do not need to reflect each individual step in the procurement process in the same manner as an Individual Acquisition Plan and Rationale Document (see Chapter 2, Exhibit 2). Rather, lead times should be expressed in a macro-sense reflecting the overall time-frame from receipt of an acceptable procurement request by the Contracting Officer through distribution of the subsequent contract; for example, 180 days. In establishing appropriate lead times, the following should be considered:

1. the commodity being purchased; e.g., supplies, equipment, services, construction, etc.;
2. the procurement method; e.g., procurement preference set aside, sealed bid, competitive negotiation, noncompetitive negotiation, etc.; and
3. the dollar value of the procurement.

Assure that procurement planning documentation is fully coordinated between the program/requirements activity and the contracting activity and approved at an appropriate level.

Availability of Funds

Program Managers are charged with the responsibility of prohibiting release of purchase requests/authorizations to contracting offices if the expiration date of funds involved does not provide sufficient procurement administrative lead time (availability of funds is further covered in Chapter 2 of this Guideline). Exceptions may be permitted if specific coordination and agreement is reached with the contracting office that the procurement can be accomplished on a priority basis within the time available. Insufficient procurement lead time could result in the forfeiture of funding for an acquisition. The Surplus Fund Certification Claim Act, 31 U.S.C. 1502, prohibits the expenditure of funds or appropriations beyond the period for which they were authorized by law.

Submission of Advance Acquisition Plans

Exhibit 1 provides for a Summary of Planned Contract Actions and is self explanatory. Part I of the summary merely extracts those planned actions of \$300,000 or more from the Consolidated Acquisition Plan (Exhibit 2), listing them individually; Part II then lumps the remaining actions under \$300,000 by quarter; Part III covers small purchase activities and contracts under \$10,000.

Exhibit 2 is the Consolidated Advance Acquisition Plan and will be prepared in two parts. Part A will include all projects \$10,000 and over, which require any of the following special approvals:

1. management consulting (365 DM);
2. ADP services, equipment and supplies (see Chapter 6 of this Guideline and 306 DM);
3. services over \$500,000 (see DIAR 1437.102(b));
4. all acquisitions over \$100,000 (see 245 DM 5.2);
5. legal reviews for all personal services and as determined necessary by the Contracting Officer (see DIAR 1401.7101-2).

The Summary of Planned Contract Actions and the Consolidated Advance Acquisition Plan are due in the Administrative Services Division (WASO) November 10 of each year.

Individual Acquisition Plan and Rationale Document

Detailed plans for individual contractual actions and supporting rationale should be completed through the combined efforts of the requestor and the contracting officer and tailored to the specific item being purchased. Chapter 2, Exhibit 2, reflects the level of detail required to properly plan for a major or complex purchase, while Chapter 2, Exhibit 3, reflects the detail expected on a relatively low value, routine, noncomplex purchase. For the purposes of this Guideline, the "complexity" of an acquisition is a function of the type of product being purchased, the method of procurement, and the nature of the supply environment or market for the product. Each purchasing activity should adopt a businesslike, common sense approach to the level of detail planning required for individual purchasing actions.

Standard Times

Regions/Centers are encouraged to develop and use, where appropriate, standard times for individual milestones in Individual Acquisition Plan and Rationale Documents and for advance acquisition plans if they realistically reflect optimum processing times, are updated on a regular basis, and permit some adjustment by the contracting office to reflect actual or potential circumstances.

Summary of FY 19XX Planned Contract Actions

National Park Service
Region or Office
As of November 1, 19XX

Part I: Planned contract actions obligations of \$300,000 or more

Description of Action <u>(1)</u>	Estimated Obligation Amount <u>(2)</u>	Planned Quarter for Obligation <u>(3)</u>	Point of Contact within Bureau or Office <u>(4)</u>
(1) Provide short narrative description, e.g., replace roof on power house, park/location.			
(2) Estimated dollar value of obligations, e.g., \$1.2 million.			
(3) Quarter within FY in which you plan to award contract, e.g., Q III, FY 1982.			
(4) Name, address, and telephone number of person who can provide more detailed information if needed, e.g., Ms. Jane Doe, Office of Construction Management, FTS 123-4567.			

Part II: Summary of planned contract actions obligating under \$300,000 (valid statistical or parametric estimating techniques may be used to develop these planning estimates).

Q I Actions	Obligations	Actions	Q II Obligations	Actions	Q III Obligations	Actions	Q IV Obligations	Actions	Total Obligations

Part III: Summary of planned acquisitions projected for the SF-281 report.

Q I Actions	Obligations	Actions	Q II Obligations	Actions	Q III Obligations	Actions	Q IV Obligations	Actions	Total Obligations

Date

CONSOLIDATED ADVANCE ACQUISITION PLAN
NATIONAL PARK SERVICE

REGION

<u>Description</u>	<u>Estimated Cost</u>	<u>Desired Contract Award Date</u>	<u>Date for Submission to Procurement Office</u>	<u>Procurement Method*</u>	<u>Program/ Clearance Requirement**</u>	<u>Fund Source***</u>
--------------------	---------------------------	--	--	--------------------------------	---	---------------------------

*Procurement Method: e.g., 8(a) Set-aside, Negotiated Competitive, etc.
**Program/Clearance Requirement: e.g., GMP dated 4/30/81; for Part B include
Clearance Requirement, e.g., DIAR 1437.102(b)
***Fund Source: e.g., ONPS, PRIP, etc.

INDIVIDUAL ACQUISITION PLAN AND RATIONALE DOCUMENT

General

The ultimate goals of the acquisition process are to acquire the needed supplies, equipment, or services when they are needed, where they are needed, at the most reasonable price, and within the constraints of law, policy, and resources. The success with which these goals are met is greatly influenced by the care with which the procurement request or initiation document is executed by the initiator.

The Contracting Officer will assist the initiator, when necessary, in the drafting of the Individual Acquisition Plan and Rationale Document.

Responsibilities

1. The Contracting Officer is responsible for assisting the initiator or requisitioning official in the drafting of the Individual Acquisition Plan and the Rationale Document.
2. The budget official or Park Superintendent, as applicable, is responsible for certifying that funds have been set aside for the various procurement transactions. The certification shall appear on the face of the requisition, as well as in the Individual Acquisition Plan and Rationale Document.
3. The requisitioning official or the initiator is responsible for providing a concise purchase description on the requisition form, and preparing the Individual Acquisition Plan and Rationale Document in coordination with the Contracting Officer.

Policy

Except as otherwise prescribed in FAR 13.505-3, acquisition transactions shall be initiated using form DI-1, "Department of the Interior Requisition."

The initiator shall complete, with the assistance of the Contracting Officer, an "Individual Acquisition Plan and Rationale Document" (Exhibits 2 and 3) for all procurements over \$25,000 unless directed otherwise by the Contracting Officer.

Completion of Purchase Description

1. In describing the goods or services being requisitioned on the DI-1 (Exhibit 1), initiators shall:

- (a) Specify needs in a form that permits maximum practicable competition and innovation;
- (b) State only the minimum needs in the specifications and/or purchase descriptions; and
- (c) Avoid restrictive features that would limit acceptable offers to one or a few offerors' products unless the features are essential to satisfy the Service's minimum needs.

2. The identification of a requirement in a purchase description by use of one or more brand-name products followed by the words, "or equal" will be used only under the conditions allowed in FAR 10.004 (b)(3), DIAR 1410.004-70(a) and DIAR 1452.210-70. A "brand-name product" means a current commercial product of a manufacturer described by its brand name, make, model number, catalog designation or other description by which it is regularly offered for sale to the public in the commercial market place.

3. In addition to a product description, any instructions regarding specific packaging, packing, and marking requirements should be listed on the DI-1 (see FAR Part 10 and DIAR 1410.004).

Guidelines for Completing the Individual Acquisition Plan and Rationale Document

The following should be considered when developing an Individual Acquisition Plan and Rationale Document (See Exhibits 2 and 3 for format):

- 1. Remember that the purpose of this planning and justification document is to facilitate attainment of office objectives.
- 2. Plans should be tailored to suit the needs of the office and the requirements of the acquisition.
- 3. The plan is the matrix for integrating and coordinating the efforts of all personnel engaged in the acquisition process.

4. The narrative portion of the plan should be brief, but comprehensive. It should provide sufficient background to understand the acquisition, the plan for contracting for the system, commodity, item or service, and the rationale and assumptions upon which the plan is predicated. It should reference other documents rather than repeat their contents.

5. The use of milestone charts introduces discipline into the planning process by identifying in graphic form the points at which critical decisions must be made and time factors that must be observed when action is necessary to produce an item or to make a competitive buy possible. The chart not only forces consideration of all factors involved, but it also provides a visual portrayal of the decisions necessary to achieve objectives and indicates the time at which they should be made. However, it is important to recognize that the format of a milestone chart is flexible because the same milestones may not be present in every case.

6. The extent of coverage of each plan will, naturally, depend on the circumstances in existence at the time acquisition planning begins. Contracting Officers may develop plans to cover an entire system or project; to cover a single solicitation/contract; they may consolidate several individual solicitation contract efforts into a single plan; or they may wish to develop a single plan to cover one solicitation and several resulting contracts.

Disposition of Individual Acquisition Plan and Rationale Document

The Individual Acquisition Plan and Rationale Document will be filed with, and become part of, the official contract file to which it pertains.

Funding

1. Each requisition involving funds must contain:

- (a) accounting and appropriation data, and
- (b) certification by the responsible fiscal authority that funds have been set aside for the transaction. As a minimum, this certification shall appear on the face of the requisition.

2. No officer or employee of the Government may create or authorize an obligation in excess of the funds available, or in advance of appropriations (Anti-Deficiency Act, 31 U.S.C. 1517), unless otherwise authorized by law.

3. Funding levels.

(a) If the contract is fully funded, funds are obligated to cover the price or target price of a fixed-price contract or the estimated cost and any fee of a cost reimbursement contract.

(b) If the contract is incrementally funded, funds are obligated to cover the first work segment, subsequent obligation of additional funds is necessary prior to proceeding with additional work segments.

(c) A contract that is funded by annual appropriations may not cross fiscal years, except in accordance with statutory authorization (see 41 U.S.C. 11a, 31 U.S.C. 1308(a) and 42 U.S.C. 2459(a)) when the contract calls for an end product that cannot feasibly be subdivided for separate performance in each fiscal year.

4. Advance payment requirements.

Except for contracts listed under DIAR 1432.404, the Chief, Division of Acquisition and Grants, Office of Acquisition and Property Management, is authorized to approve findings and determinations and contract terms for advance payments as prescribed in FAR Subpart 32.4.

In instances where advance payment is required, a findings and determination document must be submitted by the Contracting Officer in accordance with Chapter 3 of this Guideline.

Competition Requirements

1. Purchases not exceeding \$1,000 may be made without securing competitive quotations if the Contracting Officer determines the prices to be reasonable. The file must be documented accordingly.

2. For purchases over \$1,000 but not exceeding \$25,000, Contracting Officers shall solicit quotations from a reasonable number of qualified sources and document the file accordingly, to ensure that the purchase is advantageous to the Government.

3. For purchases whose value is estimated to be over \$1,000 up to \$25,000, the initiators shall include with the DI-1 a justification for noncompetitive procurement (see Chapter 5 of this Guideline) if competition is not recommended.

4. Proposed acquisitions of \$25,000 or more must provide for full and open competition in accordance with FAR 6.102. As identified in FAR 6.302, only a few limited exceptions to this policy exist. (See Chapter 5 of this Guideline for review and approval requirements for use of other than full and open competition).

Schedules

1. Adequate and realistic lead times should be given to processing of procurement requests. Insufficient lead time reduces the scope of competition, which in certain instances may result in higher prices, late delivery, and incomplete orders.

2. Initiators should avoid the release of purchase requests to contracting offices if the expiration date of funds involved does not provide sufficient procurement administrative lead time. Exceptions may be permitted if specific coordination and agreement are reached with the contracting office.

Individual Acquisition Plan and Rationale Document
for a Complex High Value Item

Project Identification: _____

Government Estimate: _____

Office: _____

Project Manager: _____

Phone: _____

Contracting Officer: _____

1. Description: Description of supplies and services covered by this acquisition plan. A brief non-technical description including its intended use, if appropriate.

2. Background: Provide a brief statement of the technical and contractual history of the supplies or services being acquired.

a. This acquisition _____ is _____ is not based on an Unsolicited Proposal.

b. Application of OMB Circular A-76. If this acquisition action is in support of, or results from, an A-76 decision, briefly summarize the A-76 analysis or decision process and indicate where further detailed information can be obtained.

3. Project Funding:

a. Include specific reference to budget line items, fund citations, purchase request or authority, total estimated cost and planned obligation date. If this plan covers multiple contracts and/or incrementally funded contracts, include as an attachment, a planned obligation schedule.

b. This acquisition _____ is _____ is not to be funded from more than one appropriation. (If affirmative, attach description, statutory citation, etc.).

4. a. This acquisition _____ requires _____ does not require priority processing (if affirmative, a brief priority justification must follow).

b. Describe the major areas of technical, schedule, and financial risk involved and what efforts are planned to overcome or reduce them. For example, use of cost-type contracts in lieu of fixed-price type contracts.

c. Delivery Requirements: What are the delivery requirements and what is the basis for establishing those requirements? Does the required delivery date or initial operational capability (IOC) date impact the overall acquisition strategy? In what way? Would that strategy change if the delivery or IOC date were slipped? Would that strategy change if the delivery date required a sole source acquisition, whereas, if the date were changed, competitive proposals could be sought?

d. The estimated period of performance is _____ months after the effective date of the contract _____ inclusive _____ exclusive of submission of any final report which may be required.

e. The schedule of deliverable items (excluding reports) is as follows. Check here if no deliverable items are required _____:

<u>Item No.</u>	<u>Description</u>	<u>Quantity</u>	<u>Delivery Date</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

f. The following reports are required (describe in an attachment). Check here if no reports are required _____. For each separate report required, describe the following:

- (a) Type of report (e.g., draft, final, interim, special, etc.)
- (b) Descriptive title (e.g., monthly progress report)
- (c) Minimum content requirements
- (d) Number of copies required
- (e) Distribution (with complete addresses of all recipients)
- (f) Delivery Schedule
- (g) Number of days the Government will have to review, comment, approve (disapprove) and return (as appropriate)

Where specific report formats containing the information above are used repetitively, "standard" formats may be established with the servicing Contracting Office. Maximum use of such standard formats is encouraged. Examples include monthly or other periodic progress reports, financial and final reports.

5. Program Control: Discuss, as appropriate, what management system will be used by the Government to monitor the contractor's performance. For example, critical path method (CPM) for construction and line-of-balance (LOB) for production, are just two of many types of management systems.
6. Government property, data, or services _____ will be furnished _____ will not be furnished under this acquisition. (If furnished, reference NPS-47, "Government Property in the Possession of Contractors," and describe in an attachment quantity and date available.)
7. Special Contract Terms or Conditions: Discuss special contract terms and conditions or required deviations from FAR and/or DIAR.
8. This acquisition anticipates that the following options will be needed. Check here if no options are anticipated _____ .

<u>Description of Option</u> (Description may be indicated in a separate attachment)	<u>Term of Option</u>
_____	_____
_____	_____
_____	_____

9. For level of effort actions and other actions where hours, rather than an end product are to be purchased, indicate for the basic and all option periods the number of hours required, by category, with definitions for each category.
10. This acquisition anticipates a new contract award _____, an additional work modification to existing contract number _____. It also anticipates that it will be processed as a _____ competitive procurement _____ noncompetitive procurement. (If noncompetitive procurement is recommended, attach appropriate justification as described in Chapter 5 of this Guideline.)

11. Recommended Acquisition Approach

- a. I _____ recommend _____ do not recommend prospective sources for this procurement. (If sources are recommended, list in an attachment.)
- b. Proposed acquisition method and reasons why that method was selected. If sealed bid, will this be a single-step or two-step action? If negotiated, will this be a competitive negotiation or noncompetitive negotiation?
- c. This proposed acquisition is appropriate for _____ total small business/labor surplus area (SB/LSA) set-aside; or _____ partial SB/LSA set-aside; _____ partial SB set-aside; _____ partial LSA set-aside; _____ 8(a) set-aside; _____ LSA set-aside; or _____ none of the above (check only one). (Consult the Business and Utilization Development Specialist (BUDS) or the Office of Business and Economic Development for advice.)
- d. What is the recommended contract type? Firm Fixed Price: Cost Reimbursement?
- e. Will cost or pricing data be required? If so, will a pre-award audit be requested?
- f. Will a letter contract be required and if so, are you planning to include a not-to-exceed ceiling price and a negotiation schedule?
- g. Will contract warranties or guarantees be used? What are they planned to be?
- h. What considerations have been given to the use of multi-year contracts?
- i. In the event this contract must be interfaced with another, what arrangements are being made to assure that both contractors:
- (1) agree to work together cooperatively;
 - (2) exchange necessary data and information;
 - (3) have a means of settling disputes between themselves that mitigates any harm to the Government that may result therefrom.

j. What special incentive provisions are contemplated, for example, award fees, cost, performance, or schedule incentives?

k. What special financial arrangements are contemplated, such as, progress payments, assignments of claims, advance payments, guaranteed loans, and economic price adjustment clauses?

12. Special Considerations:

a. This acquisition _____ requires _____ does not require management consulting services. (If management consulting services are required, attach a justification as required by 365 DM.)

b. This acquisition _____ involves _____ does not involve legal analysis. I _____ have _____ have not discussed this acquisition with the Office of the Solicitor prior to proceeding with this procurement.

c. This acquisition _____ is _____ is not for leasing of motor vehicles. (If affirmative, attach certification per FAR 8.1102.)

d. Are there any other factors which should be considered?

13. Certifications

a. To the best of my knowledge the work results of this proposed acquisition _____ are _____ are not available from any other source. (If the results are available from another source, describe in an attachment.) The initiator _____ has _____ has not consulted the Center for Information and Library Services for relevant reports by previous Contractors.

b. I _____ anticipate or have knowledge of _____ do not anticipate or have any knowledge of organizational conflict of interests issues related to the acquisition. (If affirmative, describe conflict in an attachment.)

c. Listed below are special NPS employee(s) who are or will be participating in NPS's processing or managing of this procurement, together with a list of their non-Government employers.

Special EmployeesNon-Government Employer

Proposed Contracting
Officer's Technical
Representative

I certify that the requested goods/services are required for the conduct of an official service activity, that funding is available at the stated amount and that the information provided in this individual acquisition plan and rationale document is complete and accurate to the best of my knowledge.

Date

Chief, Program Office

Additional Approvals: (as Organizationally required)

Date

Date

Concur _____ Returned for the below noted deficiency _____

Date

Contracting Officer

ACQUISITION
NPS-62
Individual Acquisition Plan and Rationale Document

GUIDELINE
Chapter 2
EXHIBIT 1F

14. List of Enclosures

This procurement request package contains the following documents:
(Check all applicable boxes and attach documents as appropriate.)

<u>See Attachment #</u>	<u>Check</u>	<u>Description</u>
Mandatory		DI-1
		Acquisition Description
		Statement or Scope of Work
		Concise Technical Proposal Instruction
		Competitive Technical Evaluation Criteria
		Justification for Noncompetitive Procurement (JNCP)
		Justification for Management Consulting Services
		Government-Furnished Property Description
		Justification of Need (Government-Furnished Property/ Equipment)
		Recommended Source List
		Reports Description

15. Milestone Chart(s): Provide a milestone chart or charts showing the significant steps necessary to complete this acquisition (see Exhibit 4). This chart must be completed with the assistance of the servicing Contracting Office.

Form DI-1
(Rev. April 1985)UNITED STATES
DEPARTMENT OF THE INTERIOR
REQUISITION

Page _____ of _____

Requisition No. _____

To _____	Bureau/Office _____	Date _____
Appropriation/Allotment No. _____		Charge shipping costs to _____
Vendor _____		Deliver to _____

ITEM OR FORM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
---------------------	-------------	----------	------	---------------	--------

To Be Completed by Fiscal Authority Only

FUND CERTIFICATION: Funds in the amounts shown are available and chargeable to the cost authorities shown above.

Signature _____	Date _____	Approved by (Signature) _____	Date _____
Title _____		Title _____	
Requisitioned by (Signature) _____	Date _____	Bureau Officer (Signature) _____	Date _____
Title _____		Title _____	

Prepare in single space typing. Use double space between items. Fill out top of requisition completely, showing complete shipping instructions and appropriation if different from that to which requisition is chargeable.

ACQUISITIONNPS-62Individual Acquisition Plan and Rationale Document

GUIDELINE

Chapter 2

EXHIBIT 3

INDIVIDUAL ACQUISITION PLAN AND RATIONALE DOCUMENT
FOR LOW VALUE, ROUTINE, NON-COMPLEX ITEMTo be completed by Contracting
Officer:

Date Received _____

Assigned Contract _____

Specialist _____

Part I Requirement:

- a. Purchase Request No. _____
- b. Modification of existing Purchase Order/Contract: YES NO
- c. Item Description: _____
- d. Quantity: _____ Unit Price: _____ Total Price _____
- e. Appropriation Chargeable: _____
- f. Delivery Required By: _____
- g. Individual Authorized to Make Acceptance: _____
- h. Justification of Need: _____

Part II Purchase History:

<u>Date</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Method of Procurement</u>	<u>Competitive Bids/Offers</u>
			<u>Sealed Bid</u> <u>Negotiated</u>	<u>Number</u> <u>\$Range</u>

Part III Special Considerations: (to be completed with the assistance
the Contracting Office)

- a. Set Aside: Small Business 100% Partial None
Labor Surplus
8(a) Program
(see attached DI-1886)

- b. Quantity Options: _____ % c. Price Escalation: _____ %

ACQUISITIONNPS-62Individual Acquisition Plan and Rationale DocumentGUIDELINE
Chapter 2
EXHIBIT 3A

	YES	NO
d. Contractor Warranties:	_____	_____
e. Government Furnished Property	_____	_____
f. Recommended Sources: (List on an attach- ment)	_____	_____

Part IV Proposed Method of Procurement: (to be completed with the assistance of the Contracting Officer)

	Competitive	Non-Competitive	Authority
a. Negotiated	_____	_____	_____
b. Sealed Bid	Single Step _____	Two Step _____	_____

	<u>STANDARD TIME</u>	<u>PLANNED TIME</u>	<u>REV. 1</u>	<u>REV. 2</u>	<u>ACTION DATE</u>
--	--------------------------	-------------------------	-------------------	-------------------	------------------------

c. Schedule:

Issue IFB/RFP/RFQ

Receive Bids/Proposal

Evaluate/Negotiate

Award

d. Remarks:

ACQUISITION

NPS-62

Individual Acquisition Plan and Rationale Document

GUIDELINE

Chapter 2

EXHIBIT 3B

I certify that the requested goods/services are required for the conduct of an official service activity, that funding is available at the stated amount and that the information provided in this Individual Acquisition Plan and Rationale Document is complete and accurate to the best of my knowledge.

Signature: _____
Chief, Program Office

Date: _____

Concur: _____
(Contracting Officer)

Date: _____

Returned for the below mentioned deficiency: _____

Contracting Officer

Date: _____

MILESTONE CHART

<u>Event</u>	<u>Responsible Party</u>	<u>Standard Time</u>	<u>Planned Date</u>	<u>Rev. 1</u>	<u>Rev. 2</u>	<u>Actual Date</u>
1. Procurement Plan Approved	Program					
2. Requisition Received	Program					
3. Statement of Work Received	Program					
4. Determination and Findings Approved	Contracting					
5. Special Approvals Received (see below):						
Management Consulting	Contracting					
Services	Contracting					
Legal						
Others						
6. Solicitation Issued	Contracting					
7. Proposal Received	Contracting					
8. Technical Evaluation Complete	Program					
9. Competitive Range Determination	Program/Contracting					

ACQUISITIONNPS-62Individual Acquisition and Rationale DocumentGUIDELINE
Chapter 2
EXHIBIT 4A

MILESTONE CHART

<u>Event</u>	<u>Responsible Party</u>	<u>Standard Time</u>	<u>Planned Date</u>	<u>Rev. 1</u>	<u>Rev. 2</u>	<u>Actual Date</u>
10. Cost/Price Analysis	Contracting					
11. Negotiations Begin	Contracting					
12. Best and Final Offers	Contracting					
13. Determination of Fair and Reasonable Price	Contracting					
14. Negotiations End	Contracting					
15. Contract and File Complete	Contracting					
16. Contract Review Complete	Contracting					
17. Contractor's Signature	Contracting					
18. Contracting Officer's Signature	Contracting					
19. Contract Distributed	Contracting					

ACQUISITION REVIEW AND APPROVAL LEVELS

General

This Chapter assigns acquisition review and approval levels compiled from the Department of the Interior Acquisition Regulation (DIAR). The Chapter provides levels of review without itemizing reporting content, etc. Further discussion of content and other pertinent data can be found in the DIAR and the FAR as referenced.

Definitions of Words and Terms

1. "Contracting activity" means a Bureau or office within the Department of the Interior with delegated procurement authority to manage contracting functions associated with its mission.
2. "Head of the Agency" (also called "Agency Head") means the Secretary of the Interior, the Undersecretary of the Interior, and the Assistant Secretary-Policy, Budget and Administration.
3. "Head of the Contracting Activity" (HCA) means the Assistant Secretary and Deputy Assistant Secretary-Policy, Budget and Administration; the head of each Bureau of the Department and the assistant or associate head of Administration (for NPS, this is the Assistant Director, Personnel and Administrative Services). The authority of the Head of the Contracting Activity may not be delegated unless specifically authorized.
4. "Chief of the Contracting Office" means the Chief, Acquisition and Assistance Systems Branch, Administrative Services Division (WASO), whose authority is delegable in certain instances (as indicated).
5. "Contracting Officer" (CO) means a person appointed by the Head of the Contracting Activity with the authority to enter into, administer, and/or terminate contracts and make related determinations and findings.
6. "Office of the Solicitor" is the office of legal counsel, among the functions of which is to review and approve for legal sufficiency selected types of contract actions from the various Department Bureaus and offices.
7. "Competition Advocate" is the person within the organization assigned responsibilities under FAR Subpart 6.5 for monitoring and limiting noncompetitive acquisitions and promoting full and open competition. The Competition Advocate for the National Park Service is the Chief, Administrative Services Division (WASO).

Responsibilities

Responsibilities are addressed throughout this Chapter as follows:

- 1401.601 Contracting authority and responsibility
- HCA may redelegate authority only as prescribed in DIAR 1401.603.
- 1401.603-1 Authorization to select and appoint contracting officers (CO)
- HCA is authorized to select and appoint CO's.
- 1401.670-1 Appointment of contracting officer's technical representative (COTR)
- A CO may select and appoint a COTR based on technical, professional, and administrative qualifications.
- 1401.670-4 Termination of appointment
- Termination of COTR appointment shall be made, in writing, by the CO or it will automatically expire upon termination or completion of the contract for which the appointment was made.
- 1401.671 Ratification of unauthorized procurement action
- a) Requests for ratification must be submitted in accordance with Chapter 8 of this Guideline through appropriate Regional Chief of Contracting and Property Management (or Center/WASO equivalent),
- b) to the Chief, Administrative Services Division (WASO), for recommendation and forwarding,
- c) to the HCA.
- 1401.7101-1 Review and approval by Assistant Secretaries
- a) Early in the requirement formulation phase and before issuance of a solicitation, the CO must submit requests for approval to contract for proposed requirements exceeding \$100,000,
- b) through WASO and HCA,

c) to the Assistant Secretary for Fish and Wildlife and Parks.

1401.7101-2 Legal review by the Office of the Solicitor

a) CO must submit all personal service contracts for review by the Solicitor.

b) CO shall submit contractual actions for review in accordance with Regional agreement with the Solicitor's office.

c) CO shall submit proposed actions for review of the Solicitor as determined appropriate (on a case-by-case basis).

d) Matters upon which the CO and Solicitor cannot agree shall be submitted,

e) to the HCA and Assistant Solicitor for Procurement and Patents for resolution.

1401.7101-3 Administrative review and approval by the Office of the Secretary

a) CO must submit fully documented proposed actions, when circumstances arise as identified in the subsection, through the Regional Chief of Contracting and Property Management (or Center/WASO equivalent),

b) to the Chief, Administrative Services Division (WASO), for recommendation and forwarding,

c) to the HCA for transmittal,

d) to higher level authority as specified.

1401.7101-4 Administrative review and approval by Bureaus and offices

This subpart identifies NPS specific contracting-related review and approval requirements.

a) Cancellation and/or resolicitation of a proposed acquisition must be documented by a D & F and signed by the Regional Chief of Contracting and Property Management (or Center/WASO equivalent) and submitted to the Chief, Administrative Services Division (WASO), for review and recommendation to the HCA.

- b) Proposed ADP acquisitions must be justified in accordance with Chapter 6 of this Guideline. Acquisition requests in excess of stated thresholds must be submitted to the Chief, Administrative Services Division (WASO), for two-part review and approval process.
- c) Selection reports and recommendations for A & E requirements exceeding \$10,000 must be submitted to the Chief, Contract Administration Division, Denver Service Center, for final approval in accordance with DIAR 1436.602.
- d) Unless a lower threshold mandated by other regulation/policy applies, (e.g., review of Service contracts exceeding \$500,000, per DIAR 1437.102(b)) selection reports and recommendations for proposed contract award of \$2,000,000 or more must be submitted by the Regional Chief of Contracting and Property Management (or Center/WASO equivalent) through the Chief, Administrative Services Division (WASO) for review and approval of the HCA.
- e) Contracts or purchase orders with Government employees, relatives of employees, or employee organizations are prohibited. Exceptions must be approved by the HCA. Such exceptions will be considered by the HCA only when there is no other source and only after concurrence by the Solicitor's office. Requests for exception must be submitted by the Regional Chief of Contracting and Property Management (or Center/WASO equivalent) through the Chief, Administrative Services Division (WASO), for review and approval of the HCA.
- f) Justifications for proposed contracts using other than full and open competition must be approved in writing in accordance with FAR Subpart 6.304. Approval levels for justifications for utilizing other than full and open competition are as follows:

<u>Contract Amount</u>	<u>Approval Level</u>
Under \$100,000	Level above the CO (w/in the 1102 Classification Series)
100,000-999,999	NPS Competition Advocate
1,000,000-9,999,999	Head of the Contracting Activity

1401.7102 Acquisition management reviews

- a) Procurement and Property Management reviews shall be combined.
- b) The Chief, Administrative Services Division (WASO), is responsible for preparing review plans and schedules and accomplishing reviews of Regional operations and representative Parks.
- c) Regional Contracting Officers must conduct periodic reviews of the Field activities (establishing a 3-year cycle).

1403.203 Reporting suspected violations of the gratuities clause

- a) Must be reported in writing to CO (pursuant to FAR 3.204(c)).
- b) Report is submitted through WASO and the HCA,
- c) to the Director, Office of Acquisition and Property Management for disposition.

1403.303 Reporting suspected violations of antitrust laws clause

- a) Must be reported in writing to CO (pursuant to FAR 3.204(c)).
- b) Report is reviewed by the Office of the Solicitor and submitted through WASO to the HCA, and
- c) is sent directly to the Attorney General, U.S. Department of Justice.
- d) HCA shall initiate debarment or suspension in accordance with FAR 9.406-2(a)(2) or 9.407-2(a)(2) and DIAR 1409.4.

1403.408 Evaluation of SF-119

Documentation required by FAR 3.408 to be reviewed by Chief of Contracting Office.

- 1403.409 Misrepresentations or violations of the covenant against contingent fees
- a) Must be reported promptly to CO for review and action under FAR 3.409.
 - b) CO submits written reports to HCA through WASO.
 - c) Under FAR 3.409(b), HCA may initiate debarment or suspension action in accordance with DIAR 1409.4.
 - d) Suspected fraudulent or criminal violations shall be documented in a report by the Chief of the Contracting Office to Office of Solicitor for action.
- 1403.502 Subcontractor kickbacks
- a) Reports on suspected violations to be prepared by CO,
 - b) submitted to HCA, through WASO,
 - c) to the Office of the Solicitor for further action.
 - d) HCA may initiate debarment or suspension action in accordance with FAR 9.406-2 or 9.407-2 and DIAR 1409.4.
- 1403.6 Contracts with Government employees or organizations owned or controlled by them
- a) CO shall prepare written determination and findings (D & F) and submit to WASO for HCA's approval and signature.
 - b) HCA's decision will be based on coordination with the Office of the Deputy Director.
 - c) After HCA signs D & F, it is to be returned through WASO to CO for insertion in contract file.
- 1404.403 Safeguarding classified information within industry
- For proposed solicitations requiring access to classified information of the Department, the CO shall consult with Chief, Division of Security and Enforcement Management, Office of Administrative

Services, Office of the Secretary, for guidance on DISP in accordance with Part 443, Chapter 1 of Departmental Manual.

1405.303

Announcement of contract awards and transactions

In addition to requirements in FAR 5.303, CO shall make proposed contract award/information available to the HCA for forwarding to the Office of Legislative and Congressional Affairs within the following timeframes.

- a) Award of contract or contract modification between \$100,000 and \$1,000,000: at least 3 work days prior to contract award.
- b) Award of contract or contract modification over \$1,000,000: at least 4 work days prior to contract award.
- c) Samples of the prescribed format for this notification are shown in Exhibit 1 of this Chapter.

1405.404-1

Release of long-range acquisition estimates - procedures

HCA is authorized to release long-range acquisition estimates under FAR 5.404-1.

1405.502

Paid advertisement

- a) Authorization for paid advertisements in newspapers is required from Chief of the Contracting Office and is delegated to the Regional Chiefs of Contracting and Property Management. This authority is further referenced in 205 DM 5.1.
- b) Advertisements placed in media other than newspapers do not require advance authorization.

1408.802

Acquisition of printing and related supplies

Prior to contracting for any items defined in FAR 8.801, CO shall coordinate with designated publication liaison officer and obtain approvals in accordance with Part 314, Chapter 1 of the Departmental Manual.

- 1409.105-1 Information to support determinations of responsibility or non-responsibility
- a) CO to prepare determination.
 - b) If contractor has a bad debt or has failed to meet an obligation to the Government, award shall not be made unless the Regional Chief, Contracting and Property Management, (or Center/WASO equivalent) determines, in writing, that award of a contract would be in the Government's best interest.
- 1409.204 Qualified products - justification for including qualifications request
- a) the Chief of the Contracting Office, as delegated to the Regional Chiefs of Contracting and Property Management (or Center/WASO equivalent), shall submit requests through the Chief, Administrative Services Division (WASO), and the HCA to Director, Office of Acquisition and Property Management, for transmittal,
 - b) to the Assistant Secretary, Policy, Budget and Administration, for approval.
- 1409.406-3 Debarment decision
- a) When there appears to be cause for debarment (see FAR 9.406-2), the HCA is to be notified immediately in writing, through WASO.
 - b) HCA, following consultation with Solicitor and Inspector General, as appropriate, submits formal recommendation to Director, Office of Acquisition and Property Management.
 - c) Director, Office of Acquisition and Property Management, shall make decision on debarment.
- 1409.407-1 Suspension decision (FAR 9.407-2)
- a) When there appears to be cause for suspension (see FAR 9.407-2), the HCA is to be notified, immediately in writing, through WASO.
 - b) HCA consults Solicitor and Inspector General, as appropriate, and submits formal recommendation to Director, Office of Acquisition and Property Management.

c) Director, Office of Acquisition and Property Management, shall make decision on suspension.

1409.503

Waiver - Organizational Conflict of Interest

- a) CO submits written request to HCA through WASO.
- b) Following review, HCA forwards request,
- c) through Solicitor,
- d) to the Director, Office of Acquisition and Property Management.

1409.507

Contractor disagreement with CO, Re: Organizational Conflict of Interest

- a) If a prospective contractor disagrees with CO's decision regarding an organizational conflict of interest and requests a higher level of review, the matter shall be referred through WASO to HCA for submission
- b) through the Solicitor
- c) to the Director, Office of Acquisition and Property Management.

1410.007

Deviations and exceptions to Federal Specifications & Standards

- a) Requests for approval of deviations shall be submitted by the CO, in writing to the HCA, through WASO.
- b) HCA shall approve all deviations and exceptions to specifications and standards listed in the Index of Federal Specifications and Standards.
- c) the Director, Office of Acquisition and Property Management shall be formally notified by the HCA of each deviation and exception approved.

1414.103-2

Limitations to the use of sealed bidding

In addition to the requirements of FAR 14.103-2, no awards shall be made unless the appropriate approvals under DIAR 1401.71 have been obtained.

1415.404 Presolicitation conferences

- a) The need for a presolicitation conference is generally justified when trying to identify interested parties or when information beyond that contained in the solicitation is to be provided.
- b) The authority to make a determination to hold a presolicitation conference is delegated by the Chief of the Contracting Office to the Regional Chiefs of Contracting and Property Management (or Center/WASO equivalent).

1415.607 Disclosure of mistakes before award

The Regional Chiefs of Contracting and Property Management (or Center/WASO equivalent) will submit through WASO to the HCA who will make the determination permitting proposal corrections in accordance with FAR 15.607(c)(3) AFTER approval of determination by Solicitor.

1415.803 Price negotiation

- a) When the contractor insists on a price or demands a profit or fee that the CO considers unreasonable, and the CO has taken all authorized actions to resolve the matter pursuant to FAR 15.803, the contract action shall be referred to HCA through WASO for final determination.
- b) A determination document shall be signed by HCA and returned to the CO for inclusion in the contract file.

1415.804-3 Exemptions from/waiver of submission of certified cost or pricing data

- a) The Regional Chiefs of Contracting and Property Management (or Center/WASO equivalent) as delegated by the Chief of the Contracting Office is authorized to approve the CO's findings supporting the unreasonableness of the lowest price (FAR 15.804-3(b)(2)(iii)).
- b) The Director, Office of Acquisition and Property Management, is authorized to waive the requirement for submission of certified cost or pricing data (FAR 15.804-3(i)). Such requests for waiver shall

be submitted, in writing, through WASO to HCA and shall contain reasons why waiver is necessary and the efforts made to obtain the data from the contractor or prospective contractor.

1415.805-5 Proposal analysis - field pricing support

a) As prescribed in FAR 15.805-5(c), the CO shall initiate an audit by sending a completed form DI-1902, Request for Audit, to the Assistant Inspector General for Auditing, Office of Inspector General (see DIAR 1453.215-70) through the NPS Audit Liaison Officer, Administrative Services Division (WASO).

b) Upon receipt of the audit report, CO will discuss any questions regarding report's contents with the cognizant auditor. If agreement cannot be reached, CO will prepare a written statement for the contract file which discusses the issues in question and supports a final decision on the matter.

An information copy of the statement shall be promptly forwarded to the Assistant Inspector General for Auditing.

1415.808 Price negotiation memorandum

a) CO shall prepare price negotiation memorandum pursuant to FAR 15.808 and DIAR 1415.808.

b) The price negotiation memorandum shall be signed by the contract specialist who conducted the negotiation and approved by the CO.

1416.203-4 Fixed-price contracts with economic price adjustment

a) An economic price adjustment clause based on cost indices of labor or material may be used under the conditions listed at FAR 16.203-4(d) after approval by the Director, Office of Acquisition and Property Management.

b) CO submits request for use of clause through WASO to HCA and,

c) HCA submits request to Director, Office of Acquisition and Property Management.

1416.301-3 D & F's for cost-reimbursement contracts

Determinations and findings authorizing the use of a cost-reimbursement type contract as described in FAR 16.302 - 16.306 shall be signed by the CO after compliance with the limitations in FAR 16.301-3 and 16.404.

1416.306 Cost-plus-fixed-fee contracts

The D & F establishing the basis for application of the statutory limitation (see FAR 16.303(c)(2) and 15.903(d)) shall be signed by the CO and may be combined with the D & F prescribed in FAR 16.301-3.

1416.403 Fixed-price incentive contracts

D & F's authorizing the use of fixed-price incentive contracts as described in FAR 16.403-1 and 16.403-2 shall be signed by the CO after compliance with the limitations in FAR 16.403(c), 16.403-1(c) and 16.403-2(c).

1416.404-1 Cost-plus-incentive-fee contracts

In accordance with DIAR 1416.301-3, D & F's authorizing the use of a cost-plus-incentive fee contract under FAR 16.404-1 shall be signed by the CO after compliance with the limitations in FAR 16.404-1(c).

1416.404-2 Cost-plus-award-fee contracts

In accordance with DIAR 1416.303-3, D & F's authorizing use of cost-plus-award-fee contract under FAR 16.404-2 shall be signed by the CO after compliance with the limitations in FAR 16.404-2(c).

1416.603-2 Letter contracts

HCA is authorized to extend the period for defining a letter contract required by FAR 16.603-2(c) in extreme cases where it is determined in writing that such action is in the best interest of the Government.

1416.702 Basic agreements

a) Copies of basic agreements negotiated with contractors in accordance with FAR 16.702 shall be furnished by the CO,

b) through the Chief, Administrative Services Division (WASO)

c) to the HCA to

d) Director, Office of Acquisition and Property Management, promptly after execution by the Government.

1417.203 Solicitations - options

Option quantities in excess of the 50 percent limit prescribed in FAR 17.203 (g)(2) may, in unusual circumstances, be approved by the Chief of the Contracting Office. The documentation required by FAR 17.205(a) shall include a written justification (in the form of a written Determination and Findings) to fully support the need for such action.

1417.206 Evaluation of options

The Chief of the Contracting Office, as redelegated to the Regional Chiefs of Contracting and Property Management (or Center/WASO equivalent), shall make the written determination required by FAR 17.206(a). This determination is required before use of the solicitation.

1419.602-1 Certificate of competency & determination of eligibility

Referrals by the CO in accordance with FAR 19.602-1 shall be approved by the Regional Chiefs of Contracting and Property Management (or Center/WASO equivalent), as delegated by the Chief of the Contracting Office, prior to submission to the appropriate Small Business Administration Office (SBA).

1419.705 Determining the need for a subcontracting plan

The determination that no subcontract possibilities exist for a proposed contractual action shall be made by the CO based on consideration of the factors in FAR 19.705-2 and approved by the Regional Chiefs of Contracting and Property Management (or Center/WASO equivalent).

1422.101-3 Reporting labor disputes

Potential or actual labor disputes that may interfere with contract performance shall be reported by the contracting activity to the Solicitor for legal advice or assistance.

1422.101-4 Removal of items from contractor's facilities affected by work stoppage

Prior to initiating any action under FAR 22.101-4, for removal of items from contractor's facilities, the CO shall obtain legal advice from the Solicitor.

1422.103-4 Overtime - approvals

The Regional Chiefs of Contracting and Property Management (or Center/WASO equivalent), as delegated by the Chief of the Contracting Office, are authorized to approve the use of overtime in accordance with the limitations in FAR 22.103-4(a).

1417.4 Leader company contracting

Use of leader company contracting for a product, subject to the limitation in FAR 17.402, shall require the advance authorization of the Director, Office of Acquisition and Property Management. Submitted by the CO, in writing, through WASO to the HCA, the authorization requests shall document the circumstances requiring such action.

1417.502 Interagency agreements citing the Economy Act

Interagency agreements over \$150,000 which cite the authority of the Economy Act must be approved by HCA. All such proposed agreements shall be submitted in duplicate to the Chief, Administrative Services Division (WASO).

1417.602 Management and operating contracts

a) Assistant Secretary - Policy, Budget and Administration, shall authorize the CO to enter into, extend, or renew any management and operating contract as defined in FAR 17.601 and prescribed in FAR 17.602(a).

b) Requests for authorization shall be prepared by the CO and submitted through WASO and the HCA to the Director, Office of Acquisition & Property Management, for further action. The request shall be submitted prior to solicitation for the requirement.

c) HCA shall be responsible for conducting the reviews required by FAR 17.602(c) and taking required actions within the time limit prescribed.

d) CO shall request authorization under (a) above for solicitation of offers for cost comparison purposes under OMB Circular A-76 (see FAR 7.304(c)).

1417.605 Award, renewal and extension

a) CO shall review each management and operating contract, as prescribed in FAR 17.605(b), prior to any extension or exercise of renewal option.

b) Any extension or renewal of a management and operating contract shall first be authorized as required in DIAR 1417.602 above.

1419.501 Acquisition screening and review form

Prior to solicitation, form DI-1886, Acquisition Screening and Review Form, shall be completed in accordance with the instructions on the reverse side of the form and placed in the contract file by the CO (see FAR 19.501(c)).

1419.505 Rejection of set-aside recommendations

a) As prescribed in FAR 19.505, the Assistant Secretary - Policy, Budget and Administration is authorized to reply to the Administrator of SBA on any SBA appeal of a CO's set-aside recommendation.

b) A written justification in support of the CO's decision to reject the set-aside recommendation shall be submitted through WASO to be approved by the HCA. It shall then be forwarded for sequential review through the Director, Office of Small and Disadvantaged Business Utilization, and the Director, Office of Acquisition and Property Management, for action by the Assistant Secretary-Policy, Budget and Administration.

1419.506 Withdrawal or modification of set-aside

Disagreements between the CO and the Business and Utilization Development Specialist (BUDS) concerning withdrawal or modifications of individual or class set-asides shall be handled as prescribed in FAR 19.506 and forwarded through WASO to HCA for resolution. The National Park Service, Assistant Director, MBE, shall be provided timely notification of such disagreement and the recommendation of the BUDS in order to provide assistance in resolving the disagreement.

1422.604-2 Walsh-Healy Public Contracts Act-regulatory exemptions

a) Assistant Secretary-Policy, Budget, and Administration, is authorized to request the Secretary of Labor to exempt contracts from Walsh-Healy Public Contracts Act under FAR 22.604-2(c).

b) A written finding justifying the exemption shall be submitted through WASO for approval by the HCA to the Director, Office of Acquisition and Property Management, for further action.

1422.803 Equal employment opportunity - responsibilities

Matters involving the applicability of Executive Order 11246 and implementing regulations of the Secretary of Labor to an acquisition or a class of acquisitions, shall be reduced to writing by the CO and forwarded through WASO and the HCA to the Director, Office of Acquisition and Property Management.

1422.1303 Special disabled and Vietnam era veterans - waiver

a) Assistant Secretary-Policy, Budget and Administration is authorized to:

(1) waive any or all terms of the clause at FAR Subpart 22.1303(a),

(2) waive any requirement in FAR Subpart 22.13 as prescribed in FAR 22.1303(b).

b) Requests for waivers under (a) above shall be made, in writing, by the CO and submitted through WASO to the HCA to the Director, Office of Acquisition and Property Management.

1423.104 Pollution control and clean air and water-exemptions

a) Assistant Secretary-Policy, Budget and Administration is authorized to exempt contracts from the requirements of FAR Subpart 23.1 under the conditions in FAR 23.104(c).

b) Request for exemptions shall be made in writing by the CO and forwarded through WASO and the HCA to the Director, Office of Acquisition and Property Management, for further action.

1423.107 Compliance responsibility-clean air & water

Conditions involving noncompliance with clean air or water standards in facilities used in performing nonexempt contracts shall be reported in writing by the CO through WASO to the HCA for transmittal directly to EPA in compliance with FAR 23.107. A copy of the report shall be promptly forwarded to Director, Office of Acquisition and Property Management.

1425.102 Buy-American Act (Supplies)

a) Assistant Secretary - Policy, Budget and Administration shall make the determinations prescribed in FAR 25.102(a)(2) and (a)(3).

b) Director, Office of Acquisition and Property Management, shall make the determination prescribed in FAR 25.102(a)(4) in accordance with the procedures in DIAR 1425.108.

c) Determinations under (a) and (b) above shall be prepared by the CO and submitted through WASO to the HCA to the Director, Office of Acquisition and Property Management, for further action.

1425.105 Evaluating offers (Buy American Act)

a) In unusual circumstances, the Assistant Secretary-Policy, Budget and Administration may determine to use evaluation differentials other than those prescribed in FAR 25.105 for a particular acquisition.

b) Requests for use of other evaluation differentials shall be submitted by the CO through WASO to the HCA to Director, Office of Acquisition and Property Management, for further action.

1425.108 Excepted articles, materials, and supplies (Buy American Act)

a) Determinations for additional articles, materials, and supplies not included in the list under FAR 25.108(d) shall be made by the Director, Office of Acquisition and Property Management.

b) Determinations shall be prepared by the CO and submitted through WASO and the HCA for approval.

1425.202 Buy American Act-Construction Materials

a) Assistant Secretary-Policy, Budget and Administration shall make determinations prescribed in FAR 25.202(a)(2) and FAR 25.203(a).

b) Director, Office of Acquisition and Property Management, will make the determination prescribed in FAR 25.202(a)(3) in accordance with the procedures in DIAR 1425.108.

c) Determinations under (a) above shall be prepared by the CO and submitted through WASO to the HCA to Director, Office of Acquisition and Property Management, for further action.

1425.3 Balance of Payments Program

a) Director, Office of Acquisition and Property Management, shall make determinations prescribed in FAR 25.302(b)(3) and FAR 25.304(c), and may authorize differentials greater than 50 percent as prescribed in FAR 25.302(c).

b) Determinations shall be prepared by the CO and submitted through WASO to the HCA to the Director, Office of Acquisition and Property Management, for further action.

1425.9 Restrictions on certain foreign purchases-exceptions

a) Assistant Secretary-Policy, Budget and Administration, shall make the required determinations.

b) Determination under (a) above shall be prepared by the CO pursuant to FAR 25.904, and submitted through WASO to the HCA, then to the Director, Office of Acquisition and Property Management, for further action.

c) Report required by FAR 25.903(b) shall be prepared and forwarded by Office of Acquisition and Property Management.

1429.101 Resolving tax problems

Contract tax problems or questions shall be referred by the CO to the Solicitor for assistance.

1429.303 Application of state and local taxes to Government contractors and subcontractors

a) Contractors to be treated as agents of the Government for the purposes set forth in FAR 29.303(a) shall require the written review and approval of the Assistant Secretary-Policy, Budget and Administration.

b) Requests for approval shall be submitted by the CO through WASO to the HCA through the Solicitor to the Director, Office of Acquisition and Property Management, for further action.

1430.304 CAS contract requirements-waiver

a) Director, Office of Acquisition & Property Management, is authorized to waive CASB requirements as prescribed in FAR 30.304(c).

b) Requests for waivers shall be prepared by the CO as prescribed in FAR 30.304(a) and submitted through WASO to the HCA for submittal to the Director, Office of Acquisition and Property Management.

1432.102 Authorization of progress payments

Progress payments based on the percentage or stage of completion (for other than construction projects) are to be approved by the Regional Chiefs of Contracting and Property Management (or Center/WASO equivalent) as delegated by the Chief of the Contracting Office.

1432.304-2 Loan guarantee for defense production-certification of eligibility

- a) Assistant Secretary-Policy, Budget and Administration, shall authorize guaranteed loan applications.
- b) Applications for loan guarantees and COs' certificates of eligibility shall be submitted through WASO to the HCA to the Director, Office of Acquisition & Property Management.

1432.402 Advance payments

Except for contracts excluded under DIAR 1432.402(b) and 1432.404, the Chief, Division of Acquisition and Grants, Office of Acquisition and Property Management, is authorized to approve D & F's and contract terms for advance payments as prescribed in FAR Subpart 32.4. The CO submits the D & F through WASO to the HCA. The HCA then submits to the Chief, Division of Acquisition & Grants, Office of Acquisition & Property Management.

1432.502-2 Progress payments based on costs-contract finance office clearance

- a) CO shall submit request through WASO to obtain the approval of the HCA before providing a progress payment rate higher than the customary rates prescribed in FAR 32.501-1.
- b) For deviations, CO shall obtain approval as prescribed in DIAR 1401.403.
- c) CO shall obtain approval of the servicing finance office for the contract before taking the action in FAR 32.502-2.

1433.1 Protests

All communications and submissions between the Assistant Solicitor for Procurement and Grants and the Contracting Office shall be transmitted through the Administrative Services Division (WASO).

1433.104(d) Protests Before Award

If a protest before award has been lodged directly with GAO and the CO determines in writing that it is necessary to make an award under the circumstances in FAR 33.104(b)(1), such determination must be made after obtaining the advice of the Assistant Solicitor for Procurement and Patents, and may be exercised only after obtaining approval of the HCA. Determinations must be transmitted through the Administrative Services Division (WASO).

1433.203 Disputes and Appeals

a) Assistant Secretary--Policy, Budget and Administration shall make the determination prescribed under FAR 33.203(b).

b) Determinations under (a) above shall be submitted by the CO through WASO to the HCA to the Director, Office of Acquisition and Property Management, for further action.

1433.003-70 Interior Board of Contract Appeals

Interior Board of Contract Appeals is authorized by the Secretary to consider and determine appeals from decisions of a CO arising under a contract.

1435.003 Research and Development contracting

Cost sharing under an R & D contract shall only be used after the D & F's prescribed in DIAR 1416.301-3 have been approved.

1436.209 Construction and A & E contracts

a) As required by FAR 36.209, no contract for construction of a project shall be awarded to a firm that designed the project or its affiliates without written approval of the Director, Office of Acquisition and Property Management.

b) Requests for approval shall be made by the CO through WASO to HCA and the Solicitor to the Director, Office of Acquisition and Property Management.

1436.602 A & E Selection

The selection report and recommendation of the A & E selection board is to be approved by the Chief of Contract Administration, DSC. The Regions/Centers shall submit selection reports to DSC when the prospective A & E contract is estimated to exceed \$10,000.

1437.102 Service contracts-general

Service contracts in excess of \$500,000 shall be reviewed and approved by the Chief of the Contracting Office prior to contract award. Complete contract files shall be submitted to the Chief of the Contracting Office, Acquisition and Assistance Systems Branch (WASO).

1437.103 Service contracts

All personal services contracts shall be reviewed by the Solicitor before award, as required by DIAR 1401.7101-2.

1437.205(b) Consulting services

Approval levels for consulting service contracts are contained in Part 365, Chapter 1.9 of the Departmental Manual and Appendix 1 thereto.

1442.2 Assignment and retention of contract administration

a) HCA is authorized to perform review and make decisions on withholding functions.

b) Request for approval shall be submitted by the CO through WASO to the HCA.

1445.302-1 Government property-providing facilities

a) HCA is authorized to make determinations for providing facilities to a contractor.

b) Request for approval shall be submitted by the CO through WASO to the HCA.

1445.403 Contractor use & rental of Government property

a) HCA is authorized to make determinations charging rent.

b) Request for approval shall be submitted by the CO through WASO to the HCA.

1445.407 Non-Government use of plant equipment

a) Director, Office of Acquisition and Property Management, is authorized to approve the non-Government use of plant equipment.

b) Request for approval shall be submitted by the CO through WASO to the HCA.

1445.608-6 Screening of contractor inventory - waiver

a) Director, Office of Acquisition and Property Management, is authorized to waive screening requirements as prescribed in FAR 45.608-6.

b) Requests for waiver shall be submitted by the CO through WASO to the HCA.

1445.610-2 Exemption from sale by GSA of surplus contractor inventory

a) Assistant Secretary-Policy, Budget and Administration, is authorized to make exceptions.

b) Requests for exceptions shall be submitted by the CO through WASO to the HCA to the Director, Office of Acquisition and Property Management.

1446.704 Approval for use of warranties

The Regional Chiefs of Contracting and Property Management (or Center/WASO equivalent), are authorized to approve the use of warranties as delegated by the Chief of the Contracting Office.

1448.102 Value Engineering

a) Director, Office of Acquisition and Property Management, is authorized to make the determination to extend sharing base of value engineering change proposals (VECP).

b) HCA is authorized to extend the sharing base of a VECP to include the entire contracting activity or any part of it.

c) Requests for determinations under (a) and (b) above shall be submitted by the CO through WASO to the HCA. Request under (a) above shall be forwarded from the HCA to the Director, Office of Acquisition and Property Management.

1449.106 Termination of contracts-fraud or criminal conduct

a) Whenever fraud related to the settlement of a terminated contract is suspected, the CO shall prepare a report of the facts and discontinue negotiations. The CO will submit the report through WASO to the HCA who will forward it to the Assistant Inspector General for Investigation. A copy will also be submitted to the Director, Office of Acquisition and Property Management.

b) Depending upon the outcome and findings of the Assistant Inspector General, the HCA may initiate suspension or debarment actions.

1449.111 Review of proposed settlements

a) All proposed settlement agreements shall be reviewed by the Solicitor and approved at a level higher than the CO. Settlement agreements of \$250,000 or more shall be approved by the HCA.

b) Request for approval shall be submitted by the CO through WASO to the HCA.

1450.103 Extraordinary contract actions-deviations

a) Assistant Secretary-Policy, Budget and Administration shall approve deviations to FAR Part 50.

b) Requests for deviations shall be submitted by the CO through WASO to the HCA to the Director, Office of Acquisition and Property Management.

1450.305 Processing contract adjustment cases

a) CO shall prepare written report and submit to the Solicitor.

b) Solicitor reviews and submits to HCA through WASO.

c) HCA submits to the Director, Office of Acquisition and Property Management.

1450.403-2

Action on indemnification request for unusually hazardous or nuclear risks

a) CO prepares written report and a memorandum of decision for signature of Secretary of the Interior.

b) Report must be approved by the Solicitor.

c) After approval it is submitted to the HCA through WASO,

d) HCA submits to the Director, Office of Acquisition and Property Management,

e) to the Assistant Secretary-Policy, Budget and Administration, who submits to the Secretary of the Interior.

1453.103

Exemptions to standard forms

Requests for exemptions to standard forms must receive GSA approval. Requests should be initiated on a SF-152, Request for Clearance, Procurement, or Cancellation of Standard and Optional Forms, and sent through the Regional Chief, Contracting and Property Management (or Center/WASO equivalent), through WASO and the HCA for submission to the Director, Office of Acquisition and Property Management.

SOURCE EVALUATION AND SELECTION PROCEDURES

General

This Chapter establishes NPS policies and procedures for the source evaluation and selection processes in competitive negotiated acquisitions.

Applicability

FAR Subpart 15.6 and this Chapter apply to all competitive negotiated procurements in excess of \$25,000 except architect-engineering services which are covered in DIAR 1436.6.

Policy

NPS personnel shall conduct source evaluation and selection in accordance with this Chapter to ensure fair and impartial treatment of all offerors.

Responsibilities and Duties

In addition to those cited in FAR 15.604, the following responsibilities and duties are assigned:

1. Source Selection Official. The Source Selection Official (SSO), generally the Contracting Officer, is the official responsible for overall management of the source selection process. Duties of the SSO include appointing the members and chairpersons of the Source Evaluation Board, the Technical Evaluation Panel, and the Business Evaluation Panel, and approving the solicitation document, including any amendments. The SSO approves the competitive range decision and makes the source selection decision.
2. Source Evaluation Board. The Source Evaluation Board (SEB) consists of a chairperson who is responsible for all of the procedural and administrative aspects of the SEB, and other specialists, e.g., technical procurement, and financial, as may be deemed appropriate by the SSO.
3. Technical Evaluation Panel. The Technical Evaluation Panel (TEP) is composed of a group of specialists who develop the evaluation criteria and the Statement of Work for the solicitation and perform the technical evaluation of offers. All members of the TEP must review all proposals initially submitted in response to a solicitation. Only individuals who evaluated initial proposals may evaluate revised proposals submitted after a determination of the competitive range.

4. Business Evaluation Panel. The Business Evaluation Panel (BEP), generally the Contract Specialist, reviews the solicitation, evaluation criteria and Statement of Work from a business perspective, evaluates the business and contractual aspects of the offerors' business proposals, and considers other factors such as responsibility of the offerors.

Personal Conflicts of Interest

Only regular or special Government employees of NPS, DOI, or, where appropriate, other Federal Government agencies, may participate in the evaluation and selection process. (Reference: "Federal Advisory Committee Act," 5 U.S.C. Appendix I.)

Each NPS employee (including special employees), engaged in source evaluation and selection, is required to be familiar with the provisions of 43 CFR, Parts 7 and 20 regarding personal conflicts of interest. The employee shall inform the SSO in writing if his/her participation in the source evaluation and selection process could be interpreted as a possible or apparent conflict of interest. The SSO shall relieve any employee who has a conflict of interest of further duties in connection with the evaluation and selection process.

Evaluation Factors

The evaluation factors that will be considered in making the source selection and their relative importance shall be included in "Evaluation Factors for Award," in each solicitation. This technical evaluation criteria should be prepared in accordance with FAR 15.605.

Proposal Evaluation

The initial technical evaluations of proposals shall be conducted in accordance with the following procedures:

1. Scoring Plan. The evaluation of technical proposals shall be done through the utilization of a pre-established scoring plan (illustrated below) consisting of narrative qualitative descriptions to which numerical values have been assigned. These values shall be applied against the weight assigned to each technical evaluation criterion and subcriterion set forth in the solicitation. The scoring plan values are expressed on a scale of zero through five; each value, except "0" and "3.0," represents a multiple of 20 percent which is to be used in determining the technical score. These two exceptions (0 and 3.0) occur because zero receives absolutely no credit, and 3.0 is the exact median of the values 1-5 and represents a flat 50 percent.

For example, a value of "4" applied to a particular technical evaluation criterion whose weight is 30, would result in a technical score of 24. Note that the scoring plan values used in technical proposal evaluation shall be limited to those established in the scoring plan.

<u>Value</u>	<u>Scoring Plan Descriptive Statement</u>
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0 The element is not addressed, or is totally deficient and without merit.

1 The element is addressed but contains deficiencies that can be corrected only by major or significant changes to relevant portions of the proposal.

2 Clarification is required. Final scoring of the element will be made following limited discussions or full negotiations, if discussions or negotiations are held with the offeror.

3 The proposal element is adequate. Overall it meets specifications. However, comments should be made on any perceived weaknesses or on areas in which an offeror could improve.

4 The proposal element is good with some superior features.

5 The proposal is superior in most features.

2. Ranking. The assignment of numerical scores to a technical proposal establishes the relative rank of that proposal with respect to those of other offerors. The use of pre-established cut-off scores to determine the competitive range or the source to be selected is prohibited. Each member of the TEP shall independently evaluate and score each offer. The TEP Chairperson shall develop, with the concurrence of the other TEP members, a consensus opinion of the individual scores, by evaluation factor assigned to each offer. The TEP members' scores will then be totaled and then an average computed among the panel members. Please note that the averaging of the individual TEP member's scores to arrive at an overall panel score, prior to attaining a consensus on the individual evaluation criteria is prohibited.

3. Technical and business evaluation reports of initial offers. The TEP and BEP (if the BEP is not the Contract Specialist) shall deliver their respective reports to the Contract Specialist at the completion of the evaluation of initial offers.

a) The TEP report shall include:

1) A detailed scoring of each offer received and a narrative summary of facts and findings of significant strengths, weaknesses, and risks associated with each offer. The narrative summary and the score must be consistent. All score sheets prepared by individual panel members must be attached to the report.

2) Any interrogatories the Contract Specialist should submit to offerors to clarify their technical proposals. The Contract Specialist may review the technical proposals and TEP evaluation and submit any additional interrogatories deemed appropriate.

b) The BEP report shall include:

1) A preliminary cost evaluation of each offeror's cost proposal. The evaluation may include worksheets or a formal narrative pointing out cost elements which appear unreasonable or questionable. For level of effort contracts, the evaluation shall compare proposed costs with the cost standards specified in the solicitation (e.g., man-hours per labor category).

2) A discussion of any factors which might prevent award to an offeror (e.g., appearance on a debarred/suspended list).

c) Both the TEP and BEP reports shall also include:

1) A statement that the respective panel members are free from actual or potential personal conflicts of interest.

2) Any information which might reveal that an offeror has an actual or potential organizational conflict of interest.

4. Supplemental technical and business evaluation reports and subsequent competitive range determination. The Project Officer shall deliver a supplemental TEP report to the Contract Specialist at the completion of evaluation of revised proposals and prior to final selection. The supplemental report shall include, for each offeror in the competitive range:

a) A discussion of whether or not the offerors' cost proposals adequately reflect their technical proposals and the requirements of the solicitation.

b) A summary evaluation of the technical aspects of each offeror's record of recent or current performance. The evaluation of past performance includes an analysis of the offeror's previous efforts to provide work of a high quality in a timely, cost-efficient manner. However, past performance is not a criterion to be scored. Where the offeror is known to have performed contracts for NPS and for other Government agencies for comparable work, those agencies should be contacted for a record of past performance and the Contracting Officer contacted for a record of past performance in NPS contracts.

c) Any changes to the initial technical evaluation scores and a narrative evaluation based on discussions or negotiations and the revised technical proposal. All revised score sheets by each panel member must be included.

5. The Contract Specialist or the BEP (as applicable) shall prepare and submit a supplemental BEP report at the completion of the evaluation. The BEP shall deliver a supplemental BEP report to the Contract Specialist at the completion of evaluation of revised proposals and prior to final selection. The supplemental report shall include, for each offeror in the competitive range:

a) A detailed cost analysis of the business proposal (as applicable). NOTE: The following definitions of cost and pricing data apply:

1) Certified cost or pricing data are required in a relatively few instances in awards of \$25,000 to \$100,000. (See FAR Subpart 15.804 for applicability of certified cost or pricing data).

2) Submission of certified cost or pricing data can be waived under the circumstances itemized in FAR Subpart 15.804-3 and DIAR 1415.804-3(b). Requests for waiver submitted under DIAR 1415.804-3(b) shall be submitted in writing to the HCA through the Chief, Administrative Services Division (WASO). HCA will transmit to the Director, Office of Acquisition and Property Management.

b) An evaluation of the offeror's subcontracting program as it relates to small businesses, labor surplus area concerns, and socially and economically disadvantaged business enterprises.

c) An evaluation of the offeror's record of performance under prior NPS contracts as it relates to timely performance, history of cost control, requests for changes, and quality of the end product.

Where the offeror is known to have performed contracts with other Government agencies for comparable work, the BPE should contact those agencies for a record of past performance.

d) An evaluation of those business elements submitted with each proposal which could lead to a determination of nonresponsibility by the Contracting Officer.

6. Characteristics of Price Analysis

Price Analysis Includes:

a) Comparison of competitive price quotations.

b) Comparison of prior quotations and contract prices with current quotations for the same or similar end-items.

c) Use of rough yardsticks or parametric relationships such as dollars per pound, per horsepower, or other units to point out apparent gross inconsistencies.

d) Comparison of prices or published price lists and published market prices of commodities, together with discount or rebate schedules.

e) Comparison of proposed prices with independent estimates of cost developed within the purchasing office.

7. Characteristics of Cost Analysis

a) Cost analysis includes verification of cost data, evaluation of specific elements of cost and projection of these data. Cost analysis looks into such factors as:

1) Necessity of certain costs.

2) Reasonableness of amounts estimated for necessary costs.

3) Extent of uncertainties involved in contract performance and realism of any allowances for contingencies.

4) Basis for allocation of overhead costs.

5) Appropriateness of allocations of particular overhead costs to the contract.

b) When the necessary data are available, a contractor or offeror's estimated costs may be compared with:

- 1) actual cost incurred previously;
- 2) last prior estimate, or series of prior estimates, for the same or similar items;
- 3) current estimates from other offerors; and
- 4) prior estimates or historical costs of other companies for the same or similar works.

Safeguarding information

The following procedures are prescribed for protecting source selection information.

1. Offeror's identities, offer contents, and prices shall be treated with the utmost discretion to avoid compromising the evaluation results or giving any offeror an unfair competitive advantage. Any questions regarding the receipt and distribution of offers, status of the proceedings, or other matters shall be referred to the Contracting Officer or designated Contract Specialist.
2. After receipt of proposals, the Contract Specialist shall serially number all proposal copies received, distribute the required number of proposal copies to the TEP and BEP (as applicable) and be responsible for the collection and final disposal of proposal copies. Prior to distributing the proposals, the Contract Specialist shall have the TEP and the BEP complete nondisclosure agreements similar to that contained in Exhibit 1. The panel Chairpersons shall maintain a log of proposal distribution within the TEP and to the BEP. The Contract Specialist shall destroy all excess copies of proposals in a timely manner. The original copy of each unsuccessful proposal should be retained by the Contract Specialist as a reference in conducting debriefings. A minimum of two copies of the successful proposal should be retained (contract file copy/Contracting Officer's Technical Representative file copy) for reference in administering the contract. Final disposition of the file shall be accomplished in accordance with FAR Subpart 4.8 and DIAR 1415.413-70.

Competitive range

The Contract Specialist shall prepare the determination of the competitive range for the subsequent approval of the SSO. Where there is reasonable doubt regarding the inclusion of a particular offer within the competitive range, that doubt should be resolved in favor of inclusion. All determinations must be completely documented to support the competitive range decision.

When only one offeror is determined to be in the competitive range, the Contracting Officer shall review the solicitation document to assure that it did not unduly restrict competition. The competitive range determination shall include the Contracting Officer's determination that the solicitation is not restrictive. The determination shall include a discussion of the relevant aspects of the solicitation.

Limited discussions vs. full negotiations

To satisfy its varying procurement needs, NPS encourages the Contract Specialist to suit the selection process employed to the circumstances of the procurement. Factors which influence the process include the number of proposals and relative closeness of technical scores and cost.

After determination of the competitive range, the Contract Specialist may proceed with limited cost/full technical discussions with the firms in the competitive range, generally through interrogatories, and final in-depth negotiations with one or more firm(s) comprising the competitive range; or a variation of these two approaches as the circumstances of the procurement dictate. Regardless of which selection process is used, the Contract Specialist is encouraged to raise cost questions as early as possible and not defer them to final negotiations. Discussions/negotiations with contractors in the competitive range shall include questions on past performance (Government and non-Government) that was less than satisfactory. Information on past performance may be obtained from programmatic personnel who have served as Contracting Officers Technical Representatives on relevant contracts, and/or from the contractor performance evaluations maintained by the various procurement and contracting offices.

Best and final offers

The Contract Specialist shall establish a common cut-off date for receipt of revised proposals and/or confirmation of negotiations (best and final offers) upon completion of limited discussions or

full negotiations. The Contract Specialist shall prepare a price negotiation memorandum pursuant to DIAR 1415.808, to be signed by the Contracting Officer.

Formal source selection

1. Responsibilities for evaluation and selection. The SSO shall appoint the SEB, TEP and BEP members prior to issuance of the solicitation to allow the members to participate in the development and review of the solicitation document. Appointments should be recommended in the source selection plan prepared by the Contracting Officer in accordance with FAR 15.612(c).

2. Source Evaluation Board Report. In procurements where an SEB is convened, the SEB shall provide the SSO with a report on its findings. The report shall be submitted after completion of discussions or full negotiations, depending on the source selection method employed and shall include:

- a) a description of the acquisition;
- b) a summary of the significant strengths, weaknesses, and risks associated with each offer still in the competitive range (this summary shall generally be an independent assessment of the facts and findings appearing in the TEP and BEP reports) and recommendations for selection; and
- c) a statement that the SEB members are free from actual or potential personal conflicts of interest.

3. Source selection. The Contract Specialist shall prepare the source selection decision for the SSO's (Contracting Officer's) subsequent approval. The decision shall document the consideration given to price or cost, technical merit and other factors contained in the solicitation. These other factors (e.g., record of prior performance, the offeror's subcontracting plan, etc.) may be used as the unscored discriminating elements for determining the selection of a source between two otherwise substantially equal offers from both a cost and technical standpoint.

4. Documentation. When the contractual action is expected to exceed \$2,000,000 complete documentation supporting the selection shall be submitted to the HCA. The HCA may request an oral briefing by the SEB prior to approving the selection decision.

NON-DISCLOSURE AGREEMENT

I, THE UNDERSIGNED DO SOLEMNLY SWEAR (OR AFFIRM) THAT I WILL NOT DIVULGE DATA OR INFORMATION (COST OR TECHNICAL) WITHIN ANY OFFEROR'S PROPOSAL SUBMITTED IN RESPONSE TO NPS RFP NO. RFP-_____, TO ANY UNAUTHORIZED PERSON FOR ANY PURPOSE. NEITHER WILL I DIVULGE DIRECTLY OR INDIRECTLY ANY OTHER DATA RELATIVE TO THIS PROCUREMENT TO ANY UNAUTHORIZED PERSON FOR ANY PURPOSE.

I UNDERSTAND THAT AUTHORIZED PERSONS REFERS ONLY TO PERSONS ASSIGNED BY NPS OR DOI TO PARTICIPATE IN THE EVALUATION OF THE PROPOSALS RECEIVED IN RESPONSE TO THE ABOVE MENTIONED RFP, OR DIRECTLY IN THE LINE OF MANAGEMENT OVER THIS PROJECT, REQUIRING ACCESS TO THE DATA.

I AM AWARE THAT THE UNAUTHORIZED USE OR DISCLOSURE OF INFORMATION MAY BE A VIOLATION OF FEDERAL CRIMINAL LAW PUNISHABLE BY A FINE OR IMPRISONMENT, OR BOTH.

Signed: _____

Date: _____

Organization: _____

JUSTIFICATION FOR NONCOMPETITIVE PROCUREMENT

Background

When contracting from only one responsible source is necessary and authorized in accordance with the Federal Acquisition Regulations (FAR), a justification documenting the use of other than full and open competition will be required. This documentation is referred to as the "Justification for Noncompetitive Procurement" (JNCP). The supporting data included in the JNCP is the responsibility of the program personnel and should be supplied to the Contracting Officer along with the DI-1 for the requirement. The conduct of a market search by the Contracting Officer must be accomplished to confirm or negate the sole source claim.

Responsibilities

1. The requesting program is responsible for preparing a justification for noncompetitive procurement (JNCP) when requesting to contract from only one source. The requesting program must include the JNCP with the DI-1 requisition package submitted to the contracting office.
2. The Contracting Officer is responsible for evaluating the validity of the JNCP and conducting a market search by publishing a sources-sought synopsis in the Commerce Business Daily (or justifying why publication was precluded). The Contracting Officer is responsible for obtaining higher level approval as required by the FAR and DIAR. The Contracting Officer is responsible for ensuring that this documentation is included in the permanent contract file.
3. The Chief, Administrative Services Division (WASO) is the appointed Competition Advocate for the NPS and must review and approve proposed sole source acquisitions in excess of \$100,000. In addition, the Chief, Administrative Services Division, is responsible for reviewing the JNCP contained in the contract file when performing Procurement and Property Management Reviews to assure compliance with this requirement.

Preparation

Preparation of the JNCP.

1. The JNCP shall be so titled and shall explain the circumstances which make full and open competition impracticable. The JNCP shall:

- a) identify the problem, mission deficiency, or need that the contract is intended to satisfy;
- b) provide evidence supporting the action and evidence that the requirement satisfies (without exceeding) the Government's minimum needs;
- c) provide the facts supporting the citation of one or more of the circumstances/authorities set forth in FAR Part 6 which permit the use of other than full and open competition;
- d) demonstrate how the initiator knows that the proposed contractor is the only one that can satisfy the Government's minimum requirements (including the unique qualifications of the proposed contractor);
- e) describe the market survey that was conducted, including whether a sources-sought synopsis or advance notice inviting competition was publicized in the Commerce Business Daily (CBD);
- f) if applicable, describe the reasons why a market survey could not be undertaken in connection with an unsolicited proposal;
- g) describe other efforts made to ensure that offers were solicited from as many potential sources as practicable;
- h) identify any other supporting facts; and
- i) provide a determination by the Contracting Officer that, however limited the competition, the anticipated cost will be fair and reasonable.

2. Each JNCP shall reflect the degree of consideration that has been given to other sources in the particular field and the reasons they lack the capability that the proposed contractor evidences. The following questions represent factors that should be considered and documented in the JNCP:

- a) What unique capability applicable to the specific effort does the proposed contractor have which is essential to satisfaction of the Government's minimum requirements?
- b) Is the effort a continuation of a previous effort performed by the proposed contractor; and to what degree is such previous effort critical to the current acquisition? Such questions as the following should be considered and addressed if pertinent:

(1) Is the added effort a minor supplement to a completed project requirement? Of what significance is this fact?

(2) Is the added effort a major supplement to a completed project requirement? Of what significance is this fact?

(3) Is the added effort essential to the continuing project requirement? Of what significance is this fact?

c) Does the proposed contractor have exclusive access to personnel who are considered preeminent experts in the particular fields necessary to perform the work? If so, identify the expert(s) and the basis for the person's or persons' expertise.

d) What facilities, equipment, or data does the proposed contractor have which are specialized, vital to the effort, and which no other company can provide? Can the Government furnish such resources as equipment or data?

e) Is urgency the basis for JNCP? Urgency means that the need is so unusual and compelling that the Government would be injured financially or otherwise if the property or services to be acquired were not furnished by a certain time. There may be valid reasons for obtaining required goods or services on an urgent basis, and although there may be other firms capable of delivering the required goods or services, no other firm could deliver within the required performance period, even if expedited competitive procedures were employed. Explain the circumstances that led to the need for an urgent contractual action. Explain why the requirement could not have been processed in sufficient time to permit competition on an expedited basis and how it is known that only one firm is capable of timely performance. (When a market survey has been conducted, provide details). It should be noted that the existence of legislation, court order, or Presidential mandate is not, of itself, a sufficient basis for contracting through the use of other than full and open competition, nor are administrative deadlines. However, the circumstances which have necessitated legislation, court order, or Presidential mandate may justify contractual action on an expedited basis using other than full and open competitive methods.

f) If the basis for the JNCP is an unsolicited proposal, FAR 15.507 provides criteria for justification.

Limitation

Contracting without full and open competition cannot be justified because of a lack of advance planning or expiration of funds. In addition, the following factors, according to decisions of the Comptroller General, cannot be used to justify other than full and open competition:

1. the proposed organization is either a nonprofit organization, a tax exempt entity, or a volunteer citizens group; or
2. the proposed organization has a large price advantage and it is believed that there is little or no willingness in the market to supply competitive offers.

Justifications for Procurement Over \$1,000 But Not Exceeding \$10,000

The justification for noncompetitive purchases estimated to be over \$1,000 but not to exceed \$10,000 shall be in the form of a brief statement on, or attached to, the DI-1 requisition.

Review and Approval of the JNCP

The review and approval of JNCP's for requirements exceeding \$10,000 but less than \$100,000 shall be conducted at a level above the Contracting Officer (with the Personnel Classification 1102 series). The review shall assess the quality of consideration given the factors discussed above and approval shall be based upon the validity of the justification offered in support of the proposal to contract on an other than full and open competition basis.

The review and approval of JNCP's for requirements of \$100,000 up to \$999,999 must be obtained from the NPS Competition Advocate, Chief, Administrative Services Division (WASO). The review and approval of JNCP's for requirements of \$1,000,000 to \$9,999,999 must be obtained from the Head of the Contracting Activity. Requirements over \$10,000,000 must be submitted to the Department Competition Advocate as transmitted through the Administrative Services Division (WASO).

ADP ACQUISITION

Background

The process of ADP Acquisition in the Federal Service differs from other supply and/or service contracts.

The primary difference deals with the fact that under the "Brooks Bill," PL 89-306, the acquisition of all ADPE for the Federal Government resides with the GSA. Naturally to be administratively manageable the specific delegation of ADP procurement authority has been delegated from the GSA to the various Federal Agencies within certain dollar thresholds.

As a result of the ADP delegation of procurement authority, various administrative manuals, directives, and NPS directives have been instituted to assist in the proper presentation, justification and actual acquisition of ADP hardware, software and services.

In addition, the Federal Information Resources Management Regulation (FIRMR), 41 CFR 201, has been published consolidating and superseding ADP acquisition regulations previously addressed in Federal Procurement Regulation (FPR), Subpart 1-4 and Federal Property Management Regulation (FPMR), Subparts 101-35 and 36.

General

This Guideline supersedes and renders obsolete Special Directive 83-5, Revision 1, dated February 7, 1984. This Guideline covers in detail the justification and documentation necessary to support an ADP acquisition and establishes policies and procedures for ADP acquisition which will allow the Service to continue its progress in automating operations and yet control, enforce, and monitor compliance with the applicable regulations. It is anticipated that this Chapter of the Guideline will stay in effect until issuance of the NPS ADP/Service-wide contract (NPS/MIS, scheduled for award late in calendar year 1986).

Policy

All requirements for ADP equipment, software, and services must be justified in accordance with the requirements of Exhibit 1 to this Chapter (the degree of detail will be commensurate with the complexity/scope of the requirement and the expected cost). In addition, noncompetitive requirements exceeding \$10,000 and competitive requirements exceeding \$50,000 must be submitted through appropriate channels to the Chief, Administrative Services

Division (WASO), for subsequent review and approval. This requirement includes ADP equipment rental and lease as well as purchase. GSA and/or Departmental approval is required in addition to WASO review and approval when the requirement meets/exceeds the thresholds set by 306 DM 4.4 and FIRMR 201-32. Purchases of ADP supplies are exempt from this requirement. Authority for the acquisition of maintenance support services not in excess of \$50,000 sole source and \$200,000 competitive is vested in the Regional Office.

Responsibilities

1. The program manager is responsible for preparing a DI-1 requisition, including the required supporting documentation identified in Exhibit 1 of this Chapter, and submitting it through the Regional Director (or WASO/Center equivalent) to the Chief, Administrative Services Division (WASO). Within 7 days of installation of the procured item(s), the program office is responsible for submitting an equipment inventory form as appropriate, no matter what the cost.
2. The Chief, Administrative Services Division (WASO), is responsible for receiving and reviewing the ADP requirements and coordinating with the Information and Data Systems Division. A person knowledgeable of contracting procedures will represent the Division in the review and will take the lead in reviewing the proposed method of procurement. The Chief, Administrative Services Division (WASO) is responsible for ensuring the adequacy of the request and its conformance with applicable regulations and delegating authority to acquire the ADP equipment, software or service to the Regional or Center Contracting Officer or the Chief, Branch of Procurement (WASO), as determined appropriate. Authority to acquire ADP equipment, software or service cannot be delegated further.
3. The Chief, Information and Data Systems Division, has been designated the ADP Manager and, as such, is responsible for the Servicewide ADP program in accordance with the Interior Departmental Manual, Section 306 DM 4. The responsibilities of the ADP Manager include (but are not limited to) assuring the effective management of the Service's ADP resources and developing and assuring that ADP requests conform with ADP Advance Acquisition Plans. For specific acquisition requests, the Division will be responsible for searching excess property, recommending alternative ADP resources (including DOI General Purpose Computer Centers, as appropriate), assuring Bureau conformance with FIPS and NPS standards, determining applicability of Privacy Act requirements, etc. In addition, the Chief, Information and Data Systems Division, is responsible for reviewing the ADP acquisition request for consistency with the information management philosophy adopted by the Service.

4. The Regional Director, Center Manager (or appropriate Assistant/Associate Director for WASO) is responsible for reviewing the proposed ADP acquisition from the program management perspective. This individual is responsible for identifying and denying inappropriate or excessive requests.

5. The Regional or Center Contracting Officer (or the Chief, Branch of Procurement, WASO) is responsible for conforming to Federal, Departmental, and Bureau regulations when making ADP acquisitions and for ensuring that, when necessary, a specific delegation of authority from the Chief, Administrative Services Division (WASO) has been obtained. The Contracting Officer has sole responsibility for evaluating any noncompetitive justifications provided by the program office, making a market search (for proposed acquisitions over \$10,000), making a determination and, when appropriate, getting concurrence from higher authority. The market search must be accomplished through issuance of a notice in the Commerce Business Daily. The market search must be undertaken before a written noncompetitive justification can be completed and approved and incorporated into the acquisition request package. The Contracting Officer is responsible for submitting a copy of the contract or purchase/delivery order, made subsequent to the specific delegation, to the Chief, Administrative Services Division (WASO), within 7 days after the award.

6. The Chief of the Region or Center Property Office (or Chief, Branch of Property Management, WASO) is responsible for maintaining inventories of ADP equipment and software, and a copy of such inventory shall be sent to the Information and Data Systems Division within 7 days after installation.

Scope of Approval

You are reminded of the importance of considering the total needs of your program location, present as well as future, in developing your ADP acquisition requests. Your three or five year ADP Plan may be incorporated into your ADP acquisition request; however, approval of your proposed ADP acquisition must be supported by the justification document outlined in Exhibit 1. Approvals obtained pursuant to this Guideline may be for an extended term, allowing award of a contract for a base year plus option years. The practice of fragmenting requests for the purpose of circumventing a regulation or meeting a dollar threshold is improper and prohibited. Also, piecemeal acquisition may seem easier in the short-term but may result in stumbling blocks as you find your ADP needs expanding, as well as resulting in higher unit prices.

Coordination with Servicing Contracting Office

Procurement personnel and your Regional Information Resources Manager (IRM) should be involved in the very early developmental stages of the ADP acquisition request. Contact your servicing contracting office as soon as it is determined that a requirement exists. By involving the contracting office at the outset, potential delays may be avoided and problem areas identified prior to the actual submittal of the DI-1 requisition package for processing.

Justification for Noncompetitive Procurement

The use of other than full and open competition must be fully justified by the program office and approved in accordance with established policies; see FIRMR 201-11.002 and FAR Part 6. For procurements of \$1,000 up to \$10,000, the Justification For Noncompetitive Procurement (JNCP) must cite the appropriate circumstances/authorities and be accepted and approved by the Contracting Officer. For acquisitions in excess of \$10,000 the program office must obtain approval of the Contracting Officer and concurrence at a level higher than the Contracting Officer (within the Personnel Classification 1102 series). In addition, an acquisition plan identifying major acquisition milestones for follow-on competitive action must be prepared in accordance with FIRMR 201-11.002.

Procedures

1. Defining the Requirement: The program manager initiating a request for acquisition of ADP equipment, software or services must establish the need for the acquisition with a written justification in the format shown in Exhibit 1. Exhibit 1 provides a comprehensive explanation of each consideration required to establish and detail the need for the proposed acquisition.
2. Initiating the ADP Acquisition: The program manager completes a DI-1 requisition and justification package. The purpose of this requisition is to (a) verify that funds have been approved for the acquisition; (b) identify the installation/delivery location; and (c) describe the specifications for the item(s) to be acquired. Whether the item descriptions specify a brand name or equal or just refer to equipment/performance requirements depends on the nature of the acquisition and/or the information available to the program office. When brand name or equal is cited, salient characteristics must be identified.

3. Management Approval of the ADP Requirement: The justifications in the format prescribed in Exhibit 1 must be attached to the DI-1 requisition and submitted in duplicate to the Regional Director, Center Manager (or appropriate Assistant/Associate Director for WASO) for approval. Upon approval, the requirement shall be forwarded to the Chief, Administrative Services Division (WASO).

4. WASO Approval of the ADP Acquisition: The requirement will be reviewed by Administrative Services Division and the Information and Data Systems Division. The review is to:

(a) Delegate Authority to Acquire ADP Equipment, Software, Services or Maintenance: When specific authority has been delegated to the Regional, Center or WASO contracting office by the Chief, Administrative Services Division (WASO), the Contracting Officer making the procurement is responsible for compliance with the applicable Federal regulations. The documentation of such compliance is outlined on the checklists shown in Exhibits 2 and 3. Whether or not each of these actions/documents is required for your ADP requirement is determined by the nature and scope of that requirement. To accurately plan anticipated installation/delivery of the approved ADP items, you should discuss the specific ADP procurement lead times with your Contracting Officer.

(b) WASO Procurement: Depending on the nature of the ADP items that are needed and the timing of the approval with other approved ADP requests, the requirement may be consolidated with other requirements and purchased through the Washington Office.

(c) Approval reviews at the Region/Center level should also consider consolidation of similar ADP needs as described in 4(b) above.

Timetable for Review of ADP Acquisition Requests

The following estimated turnaround times are provided to assist you in your planning:

1. All ADP acquisition requests received by the Chief, Administrative Services Division (WASO), will be acknowledged telephonically within three working days after receipt.

2. Review by the Administrative Services Division and the Information and Data Systems Division will be accomplished within 10 working days after receipt. Specific deficiencies will be identified should the request be disapproved. Any recommended changes or substitutions will also be identified.

3. Written communication will be prepared conveying the determination to the program office. This written communication will become a permanent part of the official contract file.

Lead Time Considerations

1. ADP Procurement Lead Times. Once a request is approved, the actual procurement time will vary depending on dollar threshold and method of procurement. The following is projected:

<u>Days</u>	<u>Action</u>
1-25	Authorized contracting office receives approved ADP acquisition
50	Award of Delivery Order under FSS or Sealed Bid Contract
90	Award of 8(a) Contract
120	Award of Noncompetitive Contract
160	Award of Negotiated Contract (in excess of \$100,000 fixed price and in excess of \$500,000 cost reimbursable)
360+	Award of major acquisition (over \$1,000,000)

2. Special Approvals

(a) Proposed sole source acquisitions over \$50,000 purchase/\$1,500 month lease* or competitive acquisitions over \$300,000 purchase/\$7,500 month lease* require Departmental approval. Allow at least 21 calendar days for Departmental approval.

(b) Proposed acquisitions over \$300,000 require GSA approval. Allow approximately 45 additional days for WASO to receive a delegation of procurement authority (DPA) from GSA.

(c) As determined by the Contracting Officer, legal approval may be appropriate. Allow approximately 14 additional days for legal review.

(d) All GIS hardware requests must be reviewed and approved by the Department regardless of dollar value (IRM memorandum, September 5, 1985).

(e) Proposed acquisitions of \$100,000 or more must be approved by the Assistant Secretary for Fish and Wildlife and Parks in accordance with 245 DM 5.1.

*Includes maintenance charge

REQUIREMENTS ANALYSIS FOR ADP ACQUISITION

The acquisition of new or additional ADP capabilities shall be based on mission needs that flow from program requirements. These needs may be expressed in the form of deficiencies in existing capabilities, new or changed program requirements or opportunities for increased economy and efficiency. In any event, the needs shall be supported by a detailed analysis commensurate with the size and complexity of the need. Each request will consider the following factors as a minimum in the requirements analysis:

1. Description

Provide a description of the primary program and associated functions that the equipment or services will support. It should cover the programmatic objectives or management efficiencies that are expected to result from this procurement and the relative priority for accomplishing these objectives when compared to other program or NPS needs.

2. Workload Estimate

Describe the existing and proposed workload that is to be supported by ADP for each of the program functions listed in Paragraph 1, this Exhibit. Frequently cited ADP functions include data creation, data manipulation and processing, data storage, data retrieval and product generation. However, it is not necessary to tailor your requirement to these examples. This part should include appropriate figures and narrative information such as:

a. Workload factors showing the costs of doing business without the requested ADP support and the anticipated savings or cost-avoidance that are to be realized as a result of the procurement. Some examples of typical workload factors include such measures as:

-time it takes to complete a particular process-e.g., preparing resource management plans;

-volume and frequency of executing a process-e.g., time and attendance data for 56 employees every 14 days;

-amount and frequency of data that has to be transmitted from point A to point B;

-timing or turn-around requirements;

-complexity of the information processing requirement-e.g., edits or mathematical operations;

-the amount and kinds of data that are needed for daily or other frequent decision making-e.g., file descriptions, record sizes, etc., may be appropriate; and

-other factors necessary to provide a full description of the required ADP support.

b. The level of detail provided in the workload estimate should be commensurate with the size, scope and complexity of the proposed ADP acquisition. Smaller dollar acquisitions (within the \$1,000 - \$10,000 range) may require only a narrative using estimated workload. Larger acquisitions will require estimates that have been substantiated or verified.

c. Explain how the requirements fit into the specific Region/Center 3/5-year plan and what impact the "instant buy" would have on the NPS Servicewide procurement.

Minor equipment additions and software requests, for which the original system has been approved need not rejustify the whole system but must establish the requirement for the additional equipment or software. Additions to existing systems/capability that significantly affect the system life or change the intended scope of the existing system/capability may be considered new requirements. Such acquisitions are generally not considered enhancements and must be fully justified including a sole source justification (if sole source is proposed).

3. Efforts to Correct Deficiencies and Actions to Date

Describe the actions that have been or will be taken to achieve the desired objectives or management efficiencies stated in Paragraph 1, this Exhibit. In a situation where there is already ADP capability involved, describe what steps have been taken to improve the efficiency/support of existing configuration-e.g., revising the production schedule or processing procedures to improve throughput capability or adding or changing workshifts to increase capacity.

Alternatives and Cost Comparisons

Describe the alternatives that have been considered to accomplish the objectives or management efficiencies described in Paragraph 1. The alternatives should be appropriate to the scope of the workload estimate described in Paragraph 2. These alternatives should include the following considerations (from a cost effectiveness perspective) as applicable:

-using non-ADP equipment, sharing existing, excess Government-owned or leased ADP equipment; use of DOI general purpose computer centers; Federal data processing centers; GSA sources or commercial services; and

-expanding or replacing existing ADP capabilities or upgrading selected system components, e.g.-adding additional communication ports, more memory, more efficient peripherals, etc. NOTE: If this is an appropriate alternative and the acquisition is being limited to ADP equipment or software, the conversion study (Paragraph 8) and the statement on compatibility limitations (Paragraph 12) must be included.

Alternatives may be compared based on technical or cost considerations as appropriate. Cost comparisons include computations to determine which alternatives will meet the user's information processing needs at the lowest overall cost over the anticipated useful life of the acquisition. Different alternatives have different useful system life estimates. These differences should be noted in the economic analysis of each alternative. Useful system life of each alternative is an estimate of the number of years the acquisition will be used by the office that is acquiring it or the number of additional years an existing ADP capability will have as result of the proposed acquisition.

5. Recommended Alternatives

Describe which alternative from Paragraph 4 is being proposed. Utilize this section to rationally describe why you may have determined that one brand is better than another.

6. Extension/Expansion/Augmentation Plan

Detail any planned changes to the recommended ADP acquisition including the potential for adding work stations, expanding communication capabilities, acquiring or developing additional software for other applications, etc. Be as specific as possible as to the application, the equipment/service necessary and the dates when the changes are expected to be needed.

7. Implementation/Installation Considerations

Describe space considerations related to the location of the requested equipment; e.g.-heat dissipation, air flow, temperature range, or energy conservation. Any coordination that may be required with the site manager or GSA should be described. One of the following statements shall be included:

a. the facility to be used is NPS owned;

- b. the acquisition of this equipment will not require site construction or modification by GSA/NPS; or
- c. the acquisition of this equipment will require site (construction) (modification) by GSA/NPS which must be completed by (date), and notification (has been) (will be) submitted to GSA/NPS on (date).

This part should also identify all NPS offices involved, their physical locations, and any functional or management problems anticipated as a result of the ADP acquisition.

8. Software Conversion Studies

Software conversion must be analyzed to ensure that the user's needs are met at the lowest overall cost, price and other factors considered (including the cost and other factors associated with conversion activities). However, a software conversion study is not required when one of the three following conditions exist:

- a. initial acquisition where no software currently exists;
- b. procurement of computer peripherals only; or
- c. exercise of purchase option under a leasing agreement.

A comprehensive software conversion study shall be made for each augmentation or replacement ADPE acquisition when either one of the two following conditions exists:

- a. the estimated purchase price of the ADP equipment system is expected to exceed \$2,500,000, excluding the maintenance and support costs;
- b. the cost of conversion is to be used as the primary justification for a noncompetitive (sole source) requirement when the estimated value of the procurement exceeds \$100,000.

The requester may elect to personally conduct the comprehensive software conversion study, or request assistance from the Information and Data Systems Division. The software conversion study will address:

- a. general background and problem definition;
- b. inventory of existing components;
- c. site environment description;
- d. inventory of software and files to be converted;

- e. alternative (compatible vs. non-compatible) analysis;
- f. description of target operation/environment; and
- g. approach for facilitating conversion.

For requirements under the thresholds identified above, use your best estimates. Identify anticipated costs involved in changing existing software to meet your overall requirement should another ADP system be available which has the potential for performing the required function more efficiently and/or effectively.

9. Computer Performance Evaluators (Not applicable to initial acquisitions.) A statement or other evidence that indicates that the operation of the currently installed ADP system(s) has been reviewed and/or monitored to establish: (a) whether or not the system has accomplished what you had intended; or (b) whether you have changed your initial expectations because of inadequacies that surfaced. This is necessary to ensure that the proposed procurement represents the lowest overall cost alternative for meeting the data processing needs.

Larger dollar requirements may require performance evaluation or simulation of system software and hardware performance in the normal processing environment. This will identify any possible improvements in portions of the systems software or modifications of hardware configuration. The Information and Data Systems Division, GSA or other outside sources may be requested to assist in the performance of this evaluation.

10. Telecommunications Statement

If communications hookups are involved, a plan must be developed which identifies existing communicating functions as well as those proposed. This includes all units which transmit data to a central processing unit (CPU) and/or "talk" from one terminal to another.

11. Other Security Requirements

The staff responsible for operation of the acquired equipment must consider security requirements for safeguarding the equipment itself and access to sensitive data. This is especially important for the smaller ADP items like microcomputers, portable terminals and data disks, diskettes or cartridges.

12. Compatibility Limitations (This is only necessary if the request is for enhancing or upgrading an existing ADP system.)

Compatibility limited requirements restrict competition and may indirectly result in increased cost. When conversion costs are to be evaluated, the solicitation must provide for the submission and evaluation of acceptable noncompatible offers from responsible offerors. An acceptable noncompatible offer must meet the user's requirement at the lowest overall cost, price and other factors considered.

The following factors shall be considered in determining whether the compatibility limited requirements are justified for replacement or expansion acquisition:

- a. How critical or unique is the existing software in meeting the program needs?
- b. What risk would be involved in acquiring noncompatible equipment and converting the data base and/or software (i.e., loss of a particular function, error increase, etc.)?
- c. How would additional factors such as delay, lost economic opportunity and less than optimum utilization of skilled professionals be impacted if compatibility specifications were not used?
- d. What steps would be taken to foster competitive conditions on the augmentation or replacement acquisition?
- e. To what extent could selected applications programs be off-loaded to commercial data processing service facilities as an alternative to conversion?
- f. To what degree would parallel operations be necessary (i.e., the need to continue operation of the old system in parallel with the new system until the new system can fully support the program needs)?

13. Proposed Procurement Method

In consultation with the Contracting Officer, identify the anticipated procurement method (competitive, noncompetitive, GSA, Federal Supply Schedule, Regional or Servicewide delivery order, etc.). Include a statement of the circumstances which support the anticipated procurement method.

14. Acquisition and Training Milestones

- a. State the anticipated schedule of programmatic as well as procurement events (based on consultation with the Contracting Officer). If there are specific time constraints, explain these and their impact on the acquisition.

b. If this request includes hardware or software intended for use by non-ADP trained personnel, include milestones that address user training before, at the time of, and/or after installation to ensure the shortest possible time to complete the learning curve and to insure that the acquisitions are put to productive use immediately after installation and acceptance.

15. Management of Project

Identify the name, location, title, and telephone number of the key procurement and program personnel involved in making the request.

ADP
Procurement
Checklist

Item

1. DI-1 requisition (supported by all documentation required by this Guideline)
2. Justification for noncompetitive procurement (if applicable, see Chapter 5 of this Guideline and FAR Part 6)
3. Commerce Business Daily Synopsis/Notification (FIRM 201-32.106 and FAR Subpart 5.2 or under nonmandatory ADP Schedule FIRM 201-32.106(f))
4. Evaluation of acquisition alternatives (i.e. purchase, lease, lease to purchase, FIRM 201-24.208)
5. Evaluate present value factors (FIRM 201-24.208(b))
6. Consider ADP fund (FIRM 201-23.2)
7. Consider use of GSA schedule contracts (FIRM 201-20.012-2, 201-32.206 and 201-32.207)
8. Other pre-award requirements
 - (a) EEO compliance (FAR 22.8)
 - (b) GSA and DOI reviews (FIRM 201 and 306 DM 4)
 - (c) Subcontracting plan (if in excess of \$500,000 and award is to a large business, FAR 19.702(a))
 - (d) Solicitor's review (DIAR 1401.7101-2)
 - (e) Assistant Secretary for Fish and Wildlife and Parks approval for all proposed acquisitions of \$100,000 and over in accordance with 245 DM 5.2

ADP
Acquisition/Request
Checklist

Item

1. Description, requirements analysis and functional specification (FIRMR 201-20.003 and 201-30.007)
2. Workload estimate (FIRMR 201-30.007(c)(8))
3. Efforts to improve current deficiencies
4. Alternatives and cost comparisons (FIRMR 201-30.009)
5. Recommended alternative
6. Extension/expansion/augmentation plan
7. Implementation/installation considerations
8. Software conversion study (FIRMR 201-30.012-1)
9. Computer performance evaluators
10. Telecommunications requirement
11. Security (FIRMR 201-3-.007(c)(8)(viii) and 201-32.104)
12. Compatibility limitations (FIRMR 201-24.207)
13. Proposed procurement method

In addition, provide the following information:

1. Program and contact person, title, address, and phone number
2. Action to date
3. Role of procurement/contracting staff
4. Contract evaluation factors-consistent with FIPS Pub.
5. User training required

UNAUTHORIZED PROCUREMENT (RATIFICATION)

General

Execution of otherwise proper contracts made by individuals without contracting authority, or by contracting officers in excess of the limits of their delegated authority, may be later ratified in accordance with the policies and procedures prescribed in this Chapter. To be effective, such ratification of a previously unauthorized act must be signed by the Head of the Contracting Activity (HCA) as prescribed by DIAR 1401.671.

Responsibilities

1. The individual having executed the unauthorized contract action is responsible for furnishing the Chief of the Program Office with all records and documents relative to the action.
2. The Program Office is responsible for forwarding the documentation of the unauthorized contract action, with the request for ratification or disciplinary action (as appropriate), to the servicing Regional Division of Contracting and Property Management (or Center/WASO equivalent).
3. The Regional Chief of Contracting and Property Management (or Center/WASO equivalent) is responsible for identifying apparent unauthorized contract actions and notifying the responsible Program Office (an example of a notification is provided as Exhibit 1). Once it has been determined that an unauthorized contract action has in fact occurred, the Regional Chief of Contracting and Property Management (or Center/WASO equivalent) is responsible for reviewing the documentation and transmitting the package to the Chief, Administrative Services Division (WASO). The cover transmittal shall provide a statement indicating concurrence with the request or recommend alternative action.
4. The Chief, Administrative Services Division (WASO), is responsible for reviewing the documentation, developing a briefing paper outlining pertinent facts, and making a final recommendation to the HCA. The Chief, Administrative Services Division (WASO) is responsible for conveying the decision to the appropriate Regional Chief of Contracting and Property Management (or Center/WASO equivalent).

5. The HCA is responsible for reviewing the complete file (unauthorized contract action with supporting documentation and recommendations) and approving the ratification if deemed to be in the best interest of the Government. If ratification is not justified, the HCA shall deny the ratification action request and initiate disciplinary action.

Applicability

The provisions of this section apply to all unauthorized contract actions, whether oral or written, without regard to dollar value. Examples of unauthorized contract actions are:

- a) ordering of supplies or services by an individual without contracting authority;
- b) unauthorized direction of work through assignment of orders or tasks;
- c) unauthorized addition of new work;
- d) directing contractors to subcontract with particular firms;
or
- e) unauthorized direction which changes the terms and conditions of the contract.

All ratifications are subject to the requirements of this Guideline and the determination of the HCA to ratify the unauthorized contract action.

Definitions

- 1. "Unauthorized action" means a contract action taken by an individual without contracting authority or a contract action by an individual acting beyond the limits of his or her delegated contracting authority.
- 2. "Ratification" means the execution by the HCA formalizing a contract action of:
 - a) an individual who acted without contracting authority; or
 - b) a Contracting Officer who acted beyond his or her delegated authority.

3. "Otherwise proper" means the unauthorized contract action could have been entered into by a Government official with authority to obligate the Government contractually without violating any statutes or regulatory requirements.

Policy

Contracting actions taken by personnel without formally delegated contracting authority do not legally obligate the Government for the expenditure of funds. An unauthorized contract action may be ratified if it would have been otherwise proper if executed by a Contracting Officer. If an unauthorized action is otherwise improper, it cannot be ratified and the person committing the unauthorized action may be personally liable.

Procedures

1. The Program Office will compile all supporting documentation and notify the Regional Contract Office immediately upon discovery of the unauthorized contract action. The supporting documentation must include:
 - a) why the work was necessary and how it benefitted the Government;
 - b) a statement as to why normal procurement procedures were not followed;
 - c) rationale as to why the contractor was selected;
 - d) identification of what other sources were considered; if sole source, provide JNCP (see Chapter 5 of this Guideline);
 - e) what was the scope of work or product;
 - f) what was the estimated or agreed contract price;
 - g) what is the status of performance (provide receiving report or other proof of receipt if completed); and
 - h) what is the status of payment, and are there any unpaid invoices (outstanding invoices must be attached to this request).

The transmittal memorandum will identify the circumstances surrounding the unauthorized action, recommend ratification or disciplinary action, and detail the steps taken or proposed to prevent future unauthorized contract actions.

2. The Division Chief (or equivalent) of the responsible Program Office shall approve the transmittal memorandum. As part of this submission the Program Office will include a DI-1 Requisition, with funding sufficient to cover the supplies or services.

3. Upon receiving the notification the Regional Contracting Officer (or Center/WASO equivalent) shall make a determination and findings regarding the unauthorized action. In order to document this determination, additional information may be required from the contractor and/or it may be necessary to seek an opinion from the Solicitor.

4. The Regional Chief of Contracting and Property Management (or Center/WASO equivalent) shall forward the notification of unauthorized action documents, along with the determination and findings, to the HCA through the Chief, Administrative Services Division (WASO).

5. The documents approving ratification or disciplinary action will be promptly returned to the Regional Contracting and Property Management Offices (or Center/WASO equivalent) for processing.

Prompt Payment

An invoice for an unauthorized contracting action is not considered "proper" until it has been officially ratified by the HCA. Therefore, the 30-day Prompt Payment Act requirements do not commence until such ratification action has been approved by the HCA.

ACQUISITION
NPS-62
Unauthorized Procurement Ratification

GUIDELINE
Chapter 8
EXHIBIT 1

S7215(230)

Memorandum

To: Chief, Division/Branch of _____

From: Chief, Contracting and Property Management

Subject: Ratification of an Unauthorized Procurement Action

The enclosed requisition (DI-1) or invoice appears to represent an unauthorized procurement action. The requested supplies or services were ordered by an individual who does not have contract authority as required by the Federal Acquisition Regulation (FAR), Subpart 1-601. Therefore, the matter must be reviewed for possible ratification action by the Head of the Contracting Activity as required by Department of the Interior Acquisition Regulations, Subpart 1401.671. In order for an unauthorized procurement to be reviewed, it will be necessary for the individual's Division Chief or Associate/Assistant Director to prepare or have prepared a request for ratification (See NPS-62, Acquisition Guideline, Chapter 8, for a complete description of the content of the request package).

The required documentation shall be forwarded by this Office to the Administrative Services Division (WASO) for review and forwarding to the Head of the Contracting Activity.

If documentation provided does not adequately justify approval by the Head of the Contracting Activity, the individual concerned may be personally liable for the cost incurred or other disciplinary action as appropriate.

UNSOLICITED PROPOSALS

General

This Guideline is being prepared independently of the Department's "Handbook for Submission of Unsolicited Proposals" (see DIAR 1415.506). There is nothing in this Guideline that is intended to contradict the Departmental procedures mandated in the Handbook. In the instance of a conflict, the procedures provided in the Handbook prevail.

Responsibilities

1. Program offices receiving an apparent unsolicited proposal are responsible for immediately submitting the proposal to the Associate Regional Director, Administration (or equivalent head of Administration for the Centers and WASO), for processing. Program offices are responsible for safeguarding the proposal and its contents while in their possession. Also, appropriate program offices are responsible for providing technical evaluation of the proposal and professional judgments concerning the proposal's disposition.
2. The Associate Regional Directors, Administration (or equivalent head of Administration for the Centers and WASO), are designated the official contact points and are responsible for coordinating the receipt and handling of unsolicited proposals for their respective Regions or areas of administrative responsibility.
3. Contracting Officers are responsible for ensuring that the proposal has the necessary characteristics to be correctly designated as "unsolicited," and for making a final determination as to whether competition could be obtained without compromising the offeror's proprietary data.

Description

Unsolicited proposals are a valuable means for Government agencies to obtain innovative or unique methods or approaches to accomplishing their missions from sources outside the Government.

Advertising material, commercial product offers, contributions, or technical correspondence, as defined in FAR 15.501, are not unsolicited proposals.

A valid unsolicited proposal must meet the following criteria:

1. be innovative or unique;
2. be independently originated and developed by the offeror;
3. be prepared without Government supervision or intervention. (however, unsolicited proposals in response to broad agency announcements are considered to be independently originated);
4. include sufficient detail to permit a determination that Government support would be worthwhile and the proposed work would benefit the agency's research and development or other mission responsibilities; and
5. not be an advance proposal for a specific documented agency requirement that can be acquired by competitive methods.

Referral

Unique or innovative unsolicited proposals that are not related to Service requirements shall be returned to the offeror stating how the proposal was interpreted and why it was not evaluated. In addition, other agencies whose missions bear a reasonable relationship to the proposal's subject matter may be identified for the offeror and included in the transmittal letter returning the proposal.

Content of Unsolicited Proposals

Unsolicited proposals should contain the following information to permit consideration in an objective and timely manner.

1. Basic information including:
 - (a) offeror's name and address and type of organization; e.g., profit, nonprofit, educational, small business;
 - (b) names and telephone numbers of technical and business personnel to be contacted for evaluation or negotiation purposes;
 - (c) names of other Federal, State, local agencies, or parties receiving the proposal or funding the proposed effort;
 - (d) identification of proprietary data to be used only for evaluation purposes;
 - (e) date of submission; and

(f) signature of a person authorized to represent and contractually obligate the offeror.

2. Technical information including:

(a) concise title and abstract (approximately 200 words) of the proposed effort;

(b) a reasonably complete discussion stating the objectives of the effort or activity, the method of approach and extent of effort to be employed, the nature and extent of the anticipated results, and the manner in which the work will help to support the Service;

(c) names and biographical information on the offeror's key personnel that would be involved, including alternates;

(d) type of support needed from the Service; e.g., facilities, equipment, materials or personnel resources; and

(e) other supporting information including:

- proposed price or total estimated cost for the effort, in sufficient detail for meaningful evaluation;

- period of time for which the proposal is valid (6 month minimum is suggested);

- type of contract preferred;

- proposed duration of effort;

- brief description of the organization's previous experience in the field, and facilities to be used; and

- required statements, if applicable, about organizational conflicts of interest, security clearances, and environmental impacts.

Receipt and Initial Review

Before initiating a comprehensive evaluation, the contact points shall determine if the unsolicited proposal:

1. contains sufficient technical and cost information;

2. has been approved by a Contracting Officer; and

3. complies with the "Limited Use of Data" requirements provided under FAR 15.509.

If the proposal meets these requirements, the contact points shall promptly acknowledge and forward the proposal to a technical evaluation point.

Safeguarding the Proposal

Comprehensive evaluations shall be coordinated by the Service contact points, which shall attach or imprint on each unsolicited proposal circulated for evaluation the following legend:

UNSOLICITED PROPOSAL USE OF LIMITED DATA

All Government personnel must exercise EXTREME CARE to ensure that the information in this proposal is not disclosed outside the Government and is NOT DUPLICATED, USED, OR DISCLOSED in whole or in part for any purpose other than evaluation of the proposal, without the written permission of the offeror. If a contract is awarded on the basis of this proposal, the terms of the contract shall control disclosure and use.

This notice does not limit the Government's right to use information contained in the proposal if it is obtainable from another source without restriction.

This is an internal Government notice and shall not by itself be construed to impose any liability upon the Government or Government personnel for disclosure or use of data contained in this proposal (FAR 15.509(d))

Evaluation

When performing a comprehensive evaluation of an unsolicited proposal, evaluators shall consider the following factors, in addition to any others appropriate for the particular proposal:

1. unique or innovative methods, approaches, or ideas generated or assembled by the offeror;
2. overall scientific, technical, or socioeconomic merits of the proposal;
3. potential contribution of the effort to the Service;
4. the offeror's capability, related experience, facilities, techniques, or unique combinations of these, which are integral factors for achieving the proposal objectives; and

5. the qualifications, capabilities, and experience of the proposed principal investigator, team leader, or key personnel who are critical in achieving the proposed objectives.

The evaluators shall notify the Regional, Center, or WASO contact point, in writing, of the details of their evaluation, their decision, and their recommendations when the evaluation is completed.

Contracting Methods

A favorable comprehensive evaluation of an unsolicited proposal does not, in itself, necessarily justify negotiating on a non-competitive basis. Service contact points shall return an unsolicited proposal to the offeror, citing reasons, when its substance:

1. is available to the Government without restriction from another source;
2. closely resembles a pending competitive solicitation; or
3. is otherwise not sufficiently innovative or unique to justify acceptance.

The Contracting Officer may award on the basis of other than full and open competition when:

1. the proposal meets the description of a "bona fide" unsolicited proposal as defined by the Federal Acquisition Regulations;
2. the unsolicited proposal has received a favorable comprehensive evaluation; and
3. the technical office sponsoring the contract supports its recommendation with the facts and circumstances that preclude competition, including consideration of evaluation factors, and furnishes the necessary funds.

If the unsolicited proposal is acceptable for award without competition, the Service shall use the proposal as the basis for negotiation with the offeror.

DEBARMENT, SUSPENSION AND INELIGIBILITY

General

As required by FAR 9.402 and DIAR 1409.4, this Chapter sets forth the policies and procedures governing debarment and suspension of contractors, the listing of the debarred and suspended contractors, and dissemination of this listing.

Responsibilities

1. Any Service employee having knowledge of or suspecting activity which would warrant suspension or debarment is responsible for reporting such activity to the Contracting Officer.
2. The Contracting Officer is responsible for contacting the Administrative Services Division (WASO) to obtain current listing information, and ensuring that offers are not solicited from or awarded to debarred or suspended contractors. Contracting Officers are also responsible for preparing a Determination and Findings reporting alleged improprieties.
3. The Chief, Administrative Services Division (WASO), is responsible for disseminating information on debarred, suspended, and ineligible contractors.

Policy

The Service shall solicit offers from, award contracts to, and consent to subcontracts with responsible contractors only. Debarment and suspension of contractors from competition and performance are discretionary actions which, due to their serious nature, must be imposed only in the public interest, for the Government's protection, and not for purposes of punishment.

Consolidated List of Debarred, Suspended and Ineligible Contractors

The Division of Acquisition and Grants, Office of Acquisition and Property Management, is responsible for notifying the General Services Administration of any actions which have resulted in the debarring or suspending of any contractor.

Monthly issues of the consolidated list shall be disseminated by the Chief, Administrative Services Division (WASO), to all Contracting Officers after receipt from the General Services Administration (GSA).

Weekly supplements to monthly lists shall be furnished to the Chief, Administrative Services Division (WASO), by the Division of Acquisition and Grants, Office of Acquisition and Property Management. Weekly supplements will not be distributed to Regions; however, the complete set of supplements will be available in the Acquisition and Assistance Systems Branch, Administrative Services Division (WASO). Contracting Officers should contact WASO in order to obtain current information and ensure effective use of the list as required by FAR 9.405.

Effect of Listing

Debarred or suspended contractors are excluded from receiving contracts. The Service shall not solicit offers from, award contracts to, or consent to contracts with these contractors, unless there is a compelling reason for such action and it is approved by the HCA and the Director, Office of Acquisition and Property Management. Requests for approval of such actions shall be submitted by the requesting Contracting Office to the Chief, Administrative Services Division (WASO), for transmittal to the HCA for concurrence prior to submitting the request to the Director, Office of Acquisition and Property Management.

Continuation of Current Contracts

Notwithstanding the debarment or suspension of a contractor, Contracting Offices may continue contracts or subcontracts in existence at the time the contractor was debarred or suspended, unless otherwise directed by the HCA or the Director, Office of Acquisition and Property Management.

Contracting Offices shall not renew current contracts or subcontracts of debarred or suspended contractors, or otherwise extend their duration, unless approved by the Director, Office of Acquisition and Property Management. Such request for approval must clearly state the compelling reasons for renewal or extension and be submitted to the Chief, Administrative Services Division (WASO), for transmittal to the HCA and, upon HCA's approval, to the Director, Office of Acquisition and Property Management.

Debarment and Suspension Authority

The Director, Office of Acquisition and Property Management, is the debarring and suspending official for the Department and is authorized to debar or suspend a contractor for any of the reasons in FAR 9.406-2, using the procedures listed in DIAR 1409.406-3 or 1409.407-3 respectively.

Investigation and Referral

Whenever a cause for debarment or suspension becomes known to a Service employee, the matter shall be referred to the HCA. The HCA shall investigate the matter, consult with the Office of the Solicitor and the Office of Inspector General, as appropriate, and submit a formal recommendation which fully documents the cause for debarment or suspension to the Director, Office of Acquisition and Property Management.

MISTAKE IN BID/PROTESTS/APPEALS

General

This Chapter contains procedural guidance relating to Mistakes in Bid, Protests, and Appeals. Each of these actions requires extensive documentation and must be prepared within a limited timeframe. Officials holding primary responsibility are routinely limited to the Contracting Officers; however, program officials may be involved through assignment as a Contracting Officer's Technical Representative or through performance of other contracting-related duties.

Responsibilities

1. The Contracting Officer is responsible for identifying apparent mistakes in bid and for determining the correct administrative action in accordance with FAR 14.406. In cases of protest or appeal, the Contracting Officer is responsible for consulting with the Office of the Solicitor and the HCA through the Administrative Services Division (WASO). The Contracting Officer is also responsible for fully documenting the circumstances and the Government's position, and attesting to such if necessary.
2. The Contracting Officer's Technical Representative (COTR) is responsible for providing the Contracting Officer with documentation concerning the technical direction and developments occurring under contract as necessitated by a protest or appeal. The COTR is also responsible for fully documenting this direction and subsequent developments, and attesting to such if necessary.
3. The Regional Chief, Contracting and Property Management (or equivalent for the Centers and WASO), is responsible for assuring the Contracting Officer's actions are appropriate when handling Mistakes in Bids/Protests/Appeals. This management responsibility may be accomplished through review of determinations and supporting files being submitted to the HCA and through on-site reviews.
4. The Chief, Administrative Services Division (WASO), is responsible for reviewing documentation concerning Mistakes in Bids/Protests/Appeals to ensure the validity of the Service's actions. This management responsibility may be accomplished through review of determinations and supporting files being submitted to the HCA and through on-site reviews.

5. The HCA is responsible for maintaining the integrity of the Service's actions concerning the contracting function and is the singular voice for the Service when special approvals from the Director, Office of Acquisition and Property Management, are sought.

6. The Office of the Solicitor shall be responsible for handling bid protests filed with the General Accounting Office (GAO) or for protests concerning automated data processing acquisitions filed with the General Services Board of Contract Appeals (GSBCA).

Mistakes Disclosed Before Award

1. The Chief of the Contracting Office is authorized to make a written determination permitting the bidder to withdraw the bid in accordance with FAR 14.406-3(c) and (e) after review and concurrence by the appropriate Office of the Solicitor. The authority to sign the determinations and findings is redelegated to the Regional Chief, Contracting and Property Management (or Center/WASO equivalent). The authority to make this administrative determination is restricted to those circumstances when a bidder requests permission to withdraw a bid rather than correct it, and (a) the evidence is clear and convincing as to the mistake; or (b) the evidence reasonably supports the existence of a mistake but it is not clear and convincing. Two copies of all determinations made pursuant to this authority must be promptly transmitted to the Director, Office of Acquisition and Property Management, through the Chief, Administrative Services Division (WASO). If the evidence of the intended bid is clear and convincing, even though the bidder has not requested permission to correct the bid, the case shall be processed in accordance with Paragraph 3 below.

2. With the exception of FAR 14.406-3(c) and (e) the authority to make administrative determinations under FAR 14.406 is reserved for the Director, Office of Acquisition and Property Management. Each proposed administrative determination shall have the concurrence of the Office of the Solicitor prior to submission to the Director, Office of Acquisition and Property Management. The Administrative Services Division (WASO) will forward the determination to the Office of the Solicitor.

3. Suspected or alleged mistakes in bid shall be processed in accordance with the requirements of FAR 14.406-3(g). Except as prescribed in Paragraph 2 above, the Contracting Officer shall submit two copies of a report and the supporting data through the Chief, Administrative Services Division (WASO), and the HCA to the Director, Office of Acquisition and Property Management.

Incomplete reports and insufficient numbers of copies may result in a delay in obtaining a determination.

4. Preaward mistakes in offeror's proposal arising in a negotiated procurement shall be treated as prescribed in FAR 15.607 and DIAR 1415.607.

Disclosure of Mistakes After Award

The Contracting Officer is authorized to make the administrative determinations in FAR 14.406-4 after concurrence is received from the Office of the Solicitor as required by FAR 14.406(d).

In negotiated procurements, mistakes in a contractor's proposal disclosed after award shall be processed in accordance with FAR 14.406-4 and DIAR 1414.406-4.

Protest Against Award

Protests against award in negotiated acquisitions shall be treated the same as in sealed bidding as prescribed in DIAR 1414.407-8.

Protests to the Agency

For protests filed with the contracting authority only, prior to award, the contracting office shall obtain the advice of the Assistant Solicitor for Procurements and Patents, through the Chief, Administrative Services Division (WASO), before making the determination under FAR 33.103(a).

Protests to the General Accounting Office (GAO)

The Office of the Solicitor shall be responsible for reporting any declarations of awards issued by the Comptroller General to the Office of Management and Budget (OMB) as required by OMB Bulletin 85-8, dated December 17, 1984. When any interested party (see FAR 33.101) challenges the Department's compliance with the provisions of FAR 33.104, the Office of the Solicitor shall be responsible for notifying the Department of Justice as required by OMB Bulletin 85-8.

a) A protestor shall furnish a copy of its complete protest simultaneously to the officials designated in the provision at FAR 52.233-2, Service of Protest, as prescribed in DIAR 1433.106.

b) Notice of Protest. Upon being telephonically advised by the GAO of the receipt of a protest before or after award, the Office of the Solicitor shall inform the Administrative Services Division (WASO), which shall immediately notify the Contracting Officer.

As required by FAR 33.104(a)(3) and 4 CFR 21.3 (GAO Regulations), the Contracting Officer shall promptly notify all interested parties, including offerors (or the contractor, if the protest is after award), involved in or affected by the protest, that a protest has been filed with the GAO and the basis for the protest. A written record of such notification shall be placed in the contract file. After receiving a copy of the protest from GAO and its request for an administrative report, the Office of the Solicitor will promptly furnish the same to the Administrative Services Division (WASO), which shall, in turn, promptly transmit copies to the Contracting Officer and request a written report. The Contracting Officer shall promptly transmit by letter a copy of the protest to all interested parties previously notified and include a statement requiring furnishing of views and information directly to the GAO. Copies of such cover letters shall be sent concurrently to the Administrative Services Division (WASO) and the Assistant Solicitor for Procurement and Patents. Materials submitted by the protestor may be withheld from interested parties in accordance with CFR 4 21.3(b).

c) Submission of Report.

(1) All personnel shall handle protests on a priority basis. Within 25 work days after receipt by the Office of the Solicitor of the GAO's telephonic notice of the protest, or within 10 work days after receipt from GAO of a determination to use the express option, a complete report shall be submitted to the GAO (see FAR 33.104(a)(2)). If the specific circumstances of the protest require a longer period, the contracting office shall immediately inform the Administrative Services Division (WASO), which shall in turn notify the Office of the Solicitor, which shall request, in writing, an extension of the period in accordance with 4 CFR 21.3(d). The contracting activity shall have no more than 15 work days from the date of notification by the Office of the Solicitor to deliver the protest report to the Assistant Solicitor for Procurement and Patents through the Administrative Services Division (WASO). For reports involving use of the 10 work day express option, the Office of the Solicitor shall establish the report delivery date after consultation with the Administrative Services Division (WASO).

(2) In addition to the requirements of FAR 33.104(a)(2), the report responsive to the protest shall be appropriately titled and dated, shall cite the GAO file number, and shall be signed by the Contracting Officer or representative. Reports shall be prepared with the assistance of the local attorney-advisor of the Office of the Solicitor. If appropriate, the report shall contain a statement regarding any urgency for the acquisition and the extent to which a delay in award may result in significant performance difficulties or additional expense to the Government.

If award is not urgent, a statement shall be included giving an estimate of the length of time an award may be delayed without significant expense or difficulty in performance. The contracting office shall submit to the Administrative Services Division (WASO) an original and two complete copies of the Contracting Officer's report (plus one complete copy for each interested party and one for the Administrative Services Division (WASO)) in response to the notification of a Protest. The report shall identify all parties to whom the report has been furnished.

d) Protests Before Award. If a protest before award has been filed with GAO and the Contracting Officer determines in writing that it is necessary to make award under the circumstances in FAR 33.104(b)(1), the Contracting Officer shall obtain advice from the Assistant Solicitor for Procurement and Patents and such determination shall be submitted to the Administrative Services Division (WASO) for approval by the HCA. The written determination shall be included in the file and the Contracting Officer shall give notice of the decision as required by FAR 33.104(d).

e) Notice to GAO. The HCA is authorized to submit the report required by FAR 33.104(f). The report shall be submitted to the Comptroller General through the Assistant Solicitor for Procurement and Patents, and the Director, Office of Acquisition and Property Management.

Protests to the General Services Board of Contract Appeals
(GSBCA)

a) (1) The Contracting Officer shall insert the clause at FAR 52.212-13, Stop-Work Order, in solicitations and contracts for automated data processing equipment and services (ADP).

2) A protestor filing a protest with GSBCA on a solicitation or contract for ADP shall furnish a copy of its complete protest submission to the officials designated in the provision at DIAR 1452.233-2, Service of Protest, as prescribed in 1433.106 on the same day the protest is filed with the GSBCA.

b) Notice of Protest. Immediately upon receipt of a copy of a protest to GSBCA, the Office of the Solicitor shall inform the Office of Information Resource Management (PIR) and the Administrative Services Division (WASO), which shall immediately inform the Contracting Officer. The PIR shall immediately notify the appropriate GSA official responsible for the delegation of the procurement authority.

Within the timeframes required by FAR 33.105(a)(2), the Contracting Officer shall provide an oral or written list of all such interested parties to whom notice was provided. A copy of all notifications to interested parties and related correspondence with GSBICA shall be maintained in the contract file and a copy of the list of interested parties notified shall be provided to the Office of the Solicitor and the Administrative Services Division (WASO) simultaneously with submission to the GSBICA.

c) Submission of Protest. An original and 2 copies, plus an additional copy for retention of the Administrative Services Division (WASO), of the documentation identified in FAR 33.105(b) shall be submitted by the Contracting Officer through the Administrative Services Division (WASO) within 8 work days after the filing of a protest. Copies shall also be provided to each interested party which has filed a notice of intervention or a motion to intervene. The protest file shall be organized to comply with the requirements of Rule 4(b) and the GSBICA within 8 work days after filing of the protest.

d) Hearings. The Office of the Solicitor shall be responsible for representing the contracting activity at any hearing on suspension of the agency's delegation of procurement authority (DPA) (see FAR 33.105(e)). The HCA shall be responsible for executing the determination required by FAR 33.105(d)(1).

Solicitation Provision

The provision at FAR 52.233-2, Service of Protest, as prescribed in FAR 33.106 shall be modified in accordance with DIAR 1452.233-2.

Service of Protest

As prescribed in DIAR 1433.106, the provision at FAR 52.233-2, Service of Protest shall be modified before insertion into solicitations and contracts.

Interior Board of Contract Appeals

The Interior Board of Contract Appeals (IBCA) is authorized by the Secretary to consider and resolve appeals of Contracting Officer decisions arising under or relating to a contract made by the Department. The IBCA's authority can be extended to any other executive agency when such an agency or Administrator of the Office of Federal Procurement Policy has been duly designated to decide the appeal. The IBCA rules of procedure are in 43 CFR Part 4, Subpart C. The address of the IBCA is 4015 Wilson Boulevard, Arlington, Virginia 22203.

Suspected Fraudulent Claims

The Contracting Officer shall refer all matters relating to suspected fraudulent claims by a contractor under the conditions in FAR 33.009 to the Office of Inspector General for further action or investigation.

Contracting Officer's Decision

A Contracting Officer's written decision is required when mutual agreement concerning a contractor's claim cannot be reached. The written decision shall include those items outlined in FAR 33.011(a)(4)(v), as well as specific reference to the IBCA and its procedures under 43 CFR Part 4. The IBCA optional small claims (expedited) procedures under 43 CFR 4.113 shall also be referenced.

Contracting Officer's Duties Upon Appeal

When a notice of appeal has been received, the Contracting Officer shall endorse on the appeal the date of mailing (or the date of receipt if the notice was not mailed) and forward it to the IBCA by certified mail within 5 days of receipt. The Office of the Solicitor shall also be notified of the appeal by the Contracting Officer (see 43 CFR 4.103).

The Contracting Officer shall prepare and transmit the data, documentation, and information required by 43 CFR 4.104 in the form of an appeal file to the IBCA. Copies of this documentation shall be sent concurrently to the appropriate Office of the Solicitor and to an appellant or appellant's counsel within 30 days after receipt of a notice of appeal or advice that an appeal has been docketed by the IBCA.

CONTRACTING OFFICER'S WARRANT SYSTEM

General

This Chapter sets forth the Service's policies and procedures for the management and maintenance of the Contracting Officer's Warrant System, as required by FAR 1.603 and supplements Department of the Interior Contracting Officers Warrant System Manual, April 1, 1984. The Warrant System establishes minimum standards for designation of Contracting Officers who, by virtue of their experience and training, are designated to sign Government contracts and obligate the Government.

Responsibilities

1. Requesting offices are responsible for submitting complete and accurate requests for Contracting Officer's Warrants. The requesting office is responsible for justifying the need for the warrant and the level requested. Once a warrant is granted, the requesting office is responsible for ensuring that sufficient time and money are available for necessary training to support the warrant.
2. The Regional Chief, Contracting and Property Management (or equivalent for Centers and WASO) is responsible for reviewing warrant requests and determining if a warrant is necessary. If the request is determined to be necessary, the Regional Chief (or equivalent) is responsible for transmitting the request to the Head of the Contracting Activity (HCA) through the Chief, Administrative Services Division (WASO).
3. The Chief, Administrative Services Division (WASO), is responsible for reviewing requests for contracting officers warrants to determine their need, and for making appropriate recommendations to the HCA.
4. The Head of Contracting Activity (HCA) is responsible for appointing Contracting Officers in accordance with the Warrant System. The HCA also has sole responsibility for terminating Contracting Officer Warrant authority.

Policy

Only a warranted Contracting Officer, who has been issued a Certificate of Appointment signed by the HCA, is authorized to sign acquisition documents. In addition, this authority includes exclusive responsibility for signing software licensing agreements (in accordance with IPM 83-4). Certificates of Appointment shall be transmitted to the appropriate individuals in the format designated by FAR 1.603-3 and signed by the HCA. No other administrative restrictions or dollar amounts shall be added or deleted by anyone other than the HCA.

Definitions

1. Contracting Officer's Warrant (COW)--A Certificate of Appointment as a Contracting Officer for the National Park Service. At the time a warrant is issued, the certificate will state the name and location of the Contracting Officer, the level of the warrant, any restrictions or limitations, number of the certificate, and date.
2. Issuing Official--Contracting Officer Warrants shall be signed and issued by the HCA. The Assistant Director, Personnel and Administrative Services is the HCA for the Service.

Warrant Applications

A warrant application will consist of two forms: "Request for Appointment of Contracting Officer" and "Personal Qualification Statement." These forms have been revised to more accurately provide the information required for proper evaluation of an application. Copies of the revised forms are attached and are to be used immediately. They may be reproduced locally as needed. The information submitted must be complete and fully support the need for a warranted Contracting Officer at a particular location. Only the minimum number of employees required to carry out procurement activities at a single location will be considered for warrants.

Warrant Review Process

Warrant applications from Park areas will be signed by the nominee's supervisor and forwarded to the appropriate Regional Office or Center. They will be reviewed by the Regional Chief, Contracting and Property Management (or equivalent at the Centers), and, if approved, signed and submitted to the Chief, Administrative Services Division (WASO). Nominations for Regional, Center, and WASO Chiefs of Contracting require only the signature of the appropriate supervisor before submittal to WASO. Warrant applications from Jobs Corps Centers will be submitted

through the appropriate Regional Chief, Contracting and Property Management, to the Youth Program Officer (WASO) and then to the Chief, Administrative Services Division (WASO).

The warrant application will be reviewed in WASO to determine if the nominee is qualified in accordance with the Contracting Officer's Warrant System Manual as well as to determine that the workload statistics provided fully justify a warrant on site.

Warrant Transmittals (WASO to Regions)

A signed Certificate of Appointment issued without exception will be sent to the Regional Chief, Contracting and Property Management (or equivalent at the Centers) with a transmittal memorandum calling attention to the maintenance training requirement which must be met within a 2-year period and any other restrictions or limitations. When the Certificate is forwarded by the Regional Chief, Contracting and Property Management (or equivalent at the Centers), the new Contracting Officer should be advised to display the warrant prominently and to return it on the last day of assignment to the position for which it was issued.

A Certificate of Appointment which is issued at a lower level than requested or as an interim will be transmitted with a memorandum explaining the deficiencies and what is required to correct them.

A warrant request which is denied will be returned to the Regional Chief, Contracting and Property Management (or equivalent at the Centers).

When the HCA terminates a warrant for any reason, the certificate shall be returned to the Administrative Services Division (WASO) immediately. Certificates shall also be returned to the HCA upon the termination, resignation, transfer, or reassignment of the Contracting Officer.

Interim Warrants

Level I and Level II warrants will not be issued on an interim basis. Levels III and IV interim warrants will be issued on a case-by-case basis where there are deficiencies in the nominee's training and/or experience but the justification presented shows that a Contracting Officer on-site is essential and there is a reasonable assumption that the necessary training or experience can be obtained within the 2-years allowed for interim appointments. The warrant request shall include a statement as to how and when the requirements for the permanent warrant will be fulfilled. If the minimum qualifications for the permanent warrant are not met during the interim period, the warrant will be cancelled. The nominee will not be eligible for another interim

warrant. In addition, it is unlikely that an interim warrant would be issued to another employee at the same site.

Exception Authority up to \$5,000

1. Project heads, technical managers, administrative personnel, and others assigned to remote field locations who have limited occasion to make small purchases and who do not have a Contracting Officer on-site may be excepted from the stringent qualifications standards of the Warrant System. However, they must have completed 16 hours of training in small purchase procedures and so state on their request. All requests for appointments under this exception authority must be submitted by the Regional Chief, Contracting and Property Management (or Center/WASO equivalent), to the HCA through the Chief, Administrative Services Division (WASO).
2. A Certificate of Appointment will be issued to the employee. Under FAR 1.603 and DIAR 1401.603. Authority to make these appointments is not redelegable.
3. This exception authority is limited to \$5,000 for open market purchases and up to the maximum order limitation against mandatory Federal Supply Schedule contracts. This exception authority is further restricted from acquiring construction over \$2,000 or services over \$2,500.

Levels I and II Warrants

Contracting Officers holding Level I and Level II warrants are restricted to actions which are handled under small purchase procedures as defined in the FAR Part 13.

Classification Requirements

Level II warrants may be issued only to employees classified in the GS-1102 or 1105 series. Level III and IV warrants may be issued only to employees in the GS-1102 series.

Training Requirements

1. Level I requires an initial 40 hours of acceptable classroom training which concentrates on small purchases and Federal Supply Service procedures. Maintenance training is a one-time requirement of 24 hours within 2-years from the date of the warrant. A Level I Contracting Officer who completes maintenance training and is subsequently transferred and issued another Level I warrant in a new position will not be required to take additional training to maintain the warrant.

2. Level II requires an initial 80 hours of acceptable classroom training, 40 of which must concentrate on small purchase procedures with an additional 40 hours in Cost and Price Analysis, Contract Administration or Contract Negotiation. An additional 24 hours are required every 2-years to maintain appointment status.

3. Level III requires an initial 160 hours of acceptable classroom training which must include 24 hours in each of five core subject areas: Sealed Bidding, Negotiation, Cost and Price Analysis, Contract Administration and Contract Law. Forty additional hours are required every 2-years to maintain appointment status.

4. Level IV requires an initial 360 hours of acceptable classroom training. Level III training is a prerequisite for Level IV. The additional 200 hours of training must show concentration on advanced procurement methods and techniques. Level IV requires 40 hours of training every 2-years to maintain appointment status.

5. Maintenance training for Level III and IV Contracting Officers who are transferred and issued new warrants will be required at 2-year intervals from the issue date of the first warrant unless there is a considerable lapse of time between warrants.

6. Maintenance training is mandatory. Copies of training certificates or other proof that training has been accomplished must be provided to the Administrative Services Division (WASO) upon completion of training. Failure to complete training requirements will result in withdrawal of the warrant. Lists of Department-approved training courses will be distributed periodically.

Experience Requirements

For warrant Levels II, III and IV only full time acquisition experience will satisfy the experience requirements as defined by the Contracting Officer's Warrant System Manual. Experience may be prorated for Level I.

Contracting Officer Technical Representatives (COTR)

Only warranted Contracting Officers are authorized to designate COTR's for National Park Service contracts. The COTR exercises only that authority specifically delegated to him/her by letter, from the Contracting Officer. Formal COTR training, although not mandatory, is suggested.

Contracting Officer Records

A computerized listing of all warranted Contracting Officers will be maintained by the Administrative Services Division (WASO). This listing, organized by Region and Park, will include the name, warrant number, series/grade, issue date, expiration date (if any), training required and the date by which training must be accomplished. Regions, Centers and WASO will be provided quarterly printouts. Any discrepancies should be reported immediately for correction of the records.

Request for Appointment
of
Contracting Officer

To: Head of Contracting Activity

The following findings and determinations are made pursuant to applicable laws and regulations:

1. There is a clear and convincing need to appoint a Level ____ Contracting Officer for the following quantifiable reasons (present actual workload statistics):

2. The nominee Contracting Officer is:

Name _____
Title _____
Series/Grade _____
Location _____

3. The nominee's Qualifications Statement which identifies pertinent experience, plus training and education qualifications, is attached.

4. The nominee's Conflict of Interest Statement is on file in the appropriate personnel office (Level II, III, IV).

5. The nominee's performance of acquisition duties is satisfactory.

Signature of Supervisor

Title

Date

Regional Chief of Contracting
and Property Management
(or Center/WASO equivalent)

Date

Personal Qualifications Statement

Employee Name _____
Series/Grade _____

Warrant Level Requested:

- _____ Level I (6 mos. exp., 40 hours training)
- _____ Level II (1102, 1105 Classification, 1 year exp., 80 hours training)
- _____ Level III (1102 Classification, 3 years exp., 160 hours training)
- _____ Level IV (1102 Classification, 4 years exp., 360 hours training)

Acquisition experience which contributes to the knowledge, skills, and abilities described in the Contracting Officers Warrant System Manual, Appendix I (full-time experience for Levels II, III, and IV):

<u>Location</u>	<u>Position</u>	<u>Warrant Level</u>	<u>Dates</u>	<u>Yrs/Mos</u>
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Pertinent classroom hours of training as outlined for each Level in the Contracting Officers Warrant System Manual. Appendix II (Attach copies of training certificates):

<u>Course Title</u>	<u>Hours Credit</u>	<u>Conducted By</u>	<u>Dates</u>
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Equivalencies (list and describe how computed)

REPORTING REQUIREMENTS

There are a number of standard procurement related reports required each year. This Chapter will identify these routine reports, establish due dates and detail the reporting procedure. A report schedule is included for your convenience (see Exhibit 7).

Responsibilities

1. The Program Offices are responsible for completing advance acquisition plans in accordance with Chapter 1 of this Guideline and updating them as changes occur.
2. The Contracting Officer is responsible for completing Individual Contract Action Reports for each contract over \$10,000 in accordance with the instructions contained in this Chapter. The Contracting Officer is also responsible for ensuring that a data sheet is prepared for each cooperative agreement. In addition, the Contracting Officer is responsible for recording actions as instructed by the Chief, Contracting and Property Management (or equivalent for the Centers and WASO) as required to capture data for other procurement-related reports.
3. The Chief, Contracting and Property Management (or Center/WASO equivalent) is responsible for devising mechanisms that will ensure complete, accurate and timely reporting.
4. The Chief, Administrative Services Division (WASO) is responsible for providing procurement-related guidance and for consolidating field input for Servicewide reports to the Department. The Chief, Administrative Services Division (WASO) is also responsible for monitoring field procedures and submittals through data analysis and on-site reviews and providing additional guidance accordingly.

FPDS-Individual Contract Action Report Over \$10,000 (Reference Exhibit 1)

1. Form SF-279, "FPDS-Individual Contract Action Report Over \$10,000," including the Department-specific attachment (items 28-35) are the procurement data collection instruments which serve Departmental as well as Congressional, Executive Branch and industry needs. It is therefore essential that the report forms be completed in a timely and accurate manner. As of February 28, 1985, the Department issued instructions for implementing this reporting requirement. Additional copies of these instructions will be available upon request. Also, help in completing the forms can be obtained by calling the Administrative Services Division (WASO).

2. The following instructions are to be followed when Definite Contracts, Modifications, and Orders are individually reported. The input document SF-279 (as illustrated in Exhibit 1) must be completely filled in for all transactions except where noted.

Individual contract action reports are required at the time of award for all procurement actions greater than \$10,000, made by the Contracting Office with non-Federal sources of supplies, equipment, construction and services including commercial utilities and communications contracts as well as commercial rents.

Contracting Offices awarding Indefinite Delivery (ID) type contracts and Basic Ordering Agreements (BOA) for supplies or services which may also be used by other bureaus and Government agencies, shall be responsible for the initial reporting of the transaction. ID or BOA instruments shall report certain orders under these types of contracts.

3. The following types of transactions are reportable on the SF-279. THESE REPORTS ARE TO BE COMPLETED AT THE TIME OF AWARD AND SUBMITTED IMMEDIATELY TO THE CHIEF, ADMINISTRATIVE SERVICES DIVISION (WASO). One copy shall be retained and placed in the contract file.

a) Definitive Contracts:

- New Definitive Contracts--where the initial dollar obligation under the contract is greater than \$10,000.
- Indefinite Delivery Contracts--when it is anticipated that orders issued will individually exceed \$10,000. Orders exceeding \$10,000 must be reported separately.
- Letter Contracts--where maximum liability of the Government stated in the Letter Contract exceeds \$10,000.
- Definitive Contracts superseding a Letter Contract when the dollars obligated under the contract exceed \$10,000. In instances where Letter Contracts were reported because they exceeded \$10,000, the dollar amount being reported for the superseding definitive contract should be the difference between the dollar amount obligated under the Letter Contract and the dollar amount obligated under the Definitive Contract.
- All contracts with Small Business Administration (SBA) regardless of dollar amount made pursuant to Section 8(a) of the Small Business Act.

b) Modifications:

- Terminations to contracts awarded after October 1, 1978, when the termination results in an obligation in excess of \$10,000.
- All modifications, regardless of amount, to SBA Section 8(a) contracts.
- All other modifications in excess of \$10,000 to contracts not covered above, regardless of when the contract was awarded.

c) Orders:

- Orders placed under another agency's contract (e.g., GSA Federal Supply Schedule Contracts), are reportable when the dollar obligation is in excess of \$10,000.
- Orders placed under Indefinite Delivery Contracts and Basic Ordering Agreements awarded within the Department are reportable when the order is in excess of \$10,000.
- All orders placed under Section 8(a), contracts with SBA.

Standard Form 281, "Summary of Contract Actions of \$10,000 or Less" (Exhibit 2)

This form will be used to list all "CX" prefixed contract actions (including modifications) under \$10,000. The Servicewide Quarterly Summary automatically lists purchase orders with the "PX" prefix, however, it will not pick up "CX" prefixes. (Subsequently, the need for manual reporting of "CX" contracts under \$10,000). This report is to be submitted to the Chief, Administrative Services Division (WASO), within 10 days following the end of each quarter.

Attachment to the SF 281, "Subcontracting Report on Selected Prime Contracts and Awards to Historically Black Colleges and Universities" (Exhibit 3)

In order for full Procurement Preference Program credit to be given, the attachment to the SF 281 must be completed. This data cannot be captured through any other report mechanism; therefore all Contracting Offices must complete the attachment and submit it within 10 days following the end of the each quarter, to the Chief, Administrative Services Division (WASO).

Semi-Annual Labor Enforcement Report (Exhibit 4)

Title 29 of the Code of Federal Regulations, Part 5.7(b), requires Federal agencies to furnish the Department of Labor reports in

compliance with and enforcement of the labor standards provisions of the Davis-Bacon Act and its related acts.

Reports shall be prepared by the Regional Contracting Office and submitted on a semiannual basis each year (by April 5 and October 5) to the Chief, Administrative Services Division (WASO). In instances where no action has taken place, a negative report is required.

Federal Assistance and Interagency Agreements (Exhibits 5 and 6)

All agreements executed by the Service must be reported on an Agreement Data Sheet (Exhibit 6), and submitted to the Chief, Administrative Services Division (WASO). This includes cooperative and interagency agreements and memoranda of understanding, and any subsequent amendments or reaffirmations, regardless of value. In addition to the Agreements Data Sheet, a Federal Assistance report form (SF-424, shown in Exhibit 8) must be completed for all cooperative agreements. Reports are due to the Chief, Administrative Services Division, (WASO) within 30 days after the agreement document has been fully executed. Additional details concerning this reporting requirement are contained in NPS-20, Federal Assistance and Interagency Agreements Guideline.

Advance Acquisition Planning

The Regional Chief, Contracting and Property Management, or (Center/WASO equivalent) is required to report Advance Acquisition Plans to the Chief, Administrative Services Division, (WASO) on a yearly basis. Updates are required quarterly. The yearly report and quarterly updates are submitted in the format shown in Chapter 1, Exhibit 1, Summary of Planned Contract Actions.

Reporting requirements and procedures are contained in Chapter 1 of this Guideline. Reports are to be submitted to the Chief, Administrative Services Division (WASO), no later than November 10 of each year with quarterly updates due within 10 days after the end of the quarter.

ACQUISITION
NPS-62
Reporting Requirements

GUIDELINE
Chapter 13
EXHIBIT 1

OMB No. 3090-0009

FPDS-INDIVIDUAL CONTRACT ACTION REPORT (OVER \$10,000)

INTERAGENCY REPORT
 CONTROL NO. FPDS-62A-01

1. REPORTING AGENCY FPDS Organization Designation Code Manual: _____		2. CONTRACT NUMBER Left justified: _____		3. MODIFICATION NUMBER _____		1a. NAME OF REPORTING AGENCY _____	
4. CONTRACTING OFFICE ORDER NUMBER _____		5. PURCHASING OR CONTRACTING OFFICE FPDS Purchase Office Code Manual: Case: _____ No. NAME: _____					
6. DATE OF THIS ACTION CY: _____ Mo: _____		7. TYPE OF DATA ENTRY 6. ORIGINAL 1. REVERSING 2. CORRECTING					
8. REPORT PERIOD FY: _____ Qtr: _____		9a. ESTABLISHMENT AND COMPLETE ADDRESS Contractor Name: _____ Division Name: _____ Street Address: _____ City & State or Country: _____					
10. PRINCIPAL PLACE OF PERFORMANCE STATE OR U.S. OUTLYING AREA OR COUNTRY - FIPS 5 or YES I.C. 10471 (CITY OR PLACE IN 48 STATES ONLY - FIPS 55) State: _____ City: _____		10a. NAME OF PRINCIPAL PLACE OF PERFORMANCE _____					
11. TOTAL DOLLARS OBLIGATED OR DEOBLIGATED (Amount in dollars whole dollar right justified for report to HHS/FPS) (Amount in thousands for report to FPDS) _____		11a. TYPE OF OBLIGATION 1. OBLIGATED 2. DEOBLIGATED 3. INITIAL LOAD OF SOA TYPE CONTRACT (NO DOLLARS) _____		12. SUBJECT TO STATUTORY REQUIREMENTS A. Walsh-Healey Act, Manufacturer B. Walsh-Healey Act, Regular Order C. Service Contract Act D. Davis-Bacon Act E. Not subject to Walsh-Healey, 7 Service Contract, or Davis-Bacon Act		13. CICA APPLICABILITY 1. Pre-CICA 2. Post-CICA _____	
14. MULTI YEAR CONTRACT 1. Yes 2. No _____		15. NUMBER OF OFFERS RECEIVED 1. One 2. More than one _____		16. KIND OF CONTRACT ACTION 1. Initial Letter Contract 2. Definitive Contract 3. New Definitive Contract 4. Order Under Reporting Agency's Contract 5. Modification 6. GSA Schedule 7. Order under another Agency's Contract 8. Termination for Default 9. Termination for Convenience		17. CONSULTANT TYPE AWARD 1. Yes 2. No _____	
18. PRINCIPAL PRODUCT OR SERVICE /FPDS Product, Service Code Manual/ Service Code Manual/ Case: _____ 18a. DESCRIPTION: _____		19. METHOD OF CONTRACTING 1. Two-step Formal Advertising 2. Other Formal Advertising 3. Negotiated Competitive 4. Negotiated Non-competitive 5. One-step Contract for Foreign Government 6. T&M or Requested Advertisement		20. EXTENT OF COMPETITION IN NEGOTIATION COMPETITIVE A1. Small Business Total Set Aside A2. Small Business Partial Set Aside A3. Labor Surplus Area Set Aside A4. Labor Surplus Area Small Business Set Aside A5. Other Negotiated Competitive NON-COMPETITIVE B1. Buy Indian B2. Buy Program B3. Follow-on After Competition B4. Other Negotiated Non-Competitive C4. Other Non-Profit Institutions C1. State/Local Government-Behavioral C2. State/Local Government-Healthcare C3. State/Local Government-Research Organization C4. Other State/Local E1. Acquired and Used Outside U.S./Outlying Areas E2. Acquired Outside U.S./Outlying Areas and Used Inside U.S./Outlying Areas			
21. TYPE OF BUSINESS A1. Small Business-Disadvantaged SBA A2. Small Business-Owned by Minority Group A3. Other Small Business or Individual A4. Large Minority Business A5. Other Large Business C1. Non-Profit-Private Educational Organization C2. Non-Profit-Hospital C3. Non-Profit Research Institution, Foundation, Library, etc.		22. NEGOTIATION EXCEPTION AUTHORITY A = 10 USC 2306 (a) applies to DoD USC 4 145A (a) C = 41 USC 253 (a) applies to Civilian Agencies B1. Buy Indian B2. Buy Program B3. Follow-on After Competition B4. Other Negotiated Non-Competitive C4. Other Non-Profit Institutions C1. State/Local Government-Behavioral C2. State/Local Government-Healthcare C3. State/Local Government-Research Organization C4. Other State/Local E1. Acquired and Used Outside U.S./Outlying Areas E2. Acquired Outside U.S./Outlying Areas and Used Inside U.S./Outlying Areas		23. TYPE OF CONTRACT OR MODIFICATION A. One-step Formal Advertising B. Two-step Formal Advertising C. Negotiated Competitive D. Negotiated Non-competitive E. One-step Contract for Foreign Government F. T&M or Requested Advertisement G. Other Formal Advertising H. Other Non-Profit Institutions I. State/Local Government-Behavioral J. State/Local Government-Healthcare K. State/Local Government-Research Organization L. Other State/Local M. Acquired and Used Outside U.S./Outlying Areas N. Acquired Outside U.S./Outlying Areas and Used Inside U.S./Outlying Areas			
24. COMPETITIVE SOLICITATION PROCEDURE 1. Formal, Full & Open Competition 2. Restricted Competition 3. Sole Source Procurement 4. Other Procurement 5. Other Procurement 6. Other Procurement 7. Other Procurement 8. Other Procurement 9. Other Procurement 10. Other Procurement 11. Other Procurement 12. Other Procurement 13. Other Procurement 14. Other Procurement 15. Other Procurement 16. Other Procurement 17. Other Procurement 18. Other Procurement 19. Other Procurement 20. Other Procurement 21. Other Procurement 22. Other Procurement 23. Other Procurement 24. Other Procurement 25. Other Procurement 26. Other Procurement 27. Other Procurement 28. Other Procurement 29. Other Procurement 30. Other Procurement 31. Other Procurement 32. Other Procurement 33. Other Procurement 34. Other Procurement 35. Other Procurement 36. Other Procurement 37. Other Procurement 38. Other Procurement 39. Other Procurement 40. Other Procurement 41. Other Procurement 42. Other Procurement 43. 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27. FOREIGN TRADE DATA A. Number of Orders B. Number of Orders C. Number of Orders D. Number of Orders E. Number of Orders F. Number of Orders G. Number of Orders H. Number of Orders I. Number of Orders J. Number of Orders K. Number of Orders L. Number of Orders M. Number of Orders N. Number of Orders O. Number of Orders P. Number of Orders Q. Number of Orders R. Number of Orders S. Number of Orders T. Number of Orders U. Number of Orders V. Number of Orders W. Number of Orders X. Number of Orders Y. Number of Orders Z. Number of Orders AA. Number of Orders AB. Number of Orders AC. Number of Orders AD. Number of Orders AE. Number of Orders AF. Number of Orders AG. Number of Orders AH. Number of Orders AI. Number of Orders AJ. Number of Orders AK. Number of Orders AL. Number of Orders AM. Number of Orders AN. Number of Orders AO. Number of Orders AP. Number of Orders AQ. Number of Orders AR. Number of Orders AS. Number of Orders AT. Number of Orders AU. Number of Orders AV. Number of Orders AW. Number of Orders AX. Number of Orders AY. Number of Orders AZ. Number of Orders BA. Number of Orders BB. Number of Orders BC. Number of Orders BD. Number of Orders BE. Number of Orders BF. Number of Orders BG. Number of Orders BH. Number of Orders BI. Number of Orders BJ. Number of Orders BK. Number of Orders BL. Number of Orders BM. Number of Orders BN. Number of Orders BO. Number of Orders BP. Number of Orders BQ. Number of Orders BR. Number of Orders BS. Number of Orders BT. Number of Orders BU. Number of Orders BV. Number of Orders BW. Number of Orders BX. Number of Orders BY. Number of Orders BZ. Number of Orders CA. Number of Orders CB. Number of Orders CC. Number of Orders CD. Number of Orders CE. Number of Orders CF. Number of Orders CG. Number of Orders CH. Number of Orders CI. Number of Orders CJ. Number of Orders CK. Number of Orders CL. Number of Orders CM. Number of Orders CN. Number of Orders CO. Number of Orders CP. Number of Orders CQ. Number of Orders CR. Number of Orders CS. Number of Orders CT. Number of Orders CU. Number of Orders CV. Number of Orders CW. Number of Orders CX. Number of Orders CY. Number of Orders CZ. Number of Orders DA. Number of Orders DB. Number of Orders DC. Number of Orders DD. Number of Orders DE. Number of Orders DF. Number of Orders DG. Number of Orders DH. Number of Orders DI. Number of Orders DJ. Number of Orders DK. Number of Orders DL. Number of Orders DM. Number of Orders DN. Number of Orders DO. Number of Orders DP. Number of Orders DQ. Number of Orders DR. Number of Orders DS. Number of Orders DT. Number of Orders DU. Number of Orders DV. Number of Orders DW. Number of Orders DX. Number of Orders DY. Number of Orders DZ. Number of Orders EA. Number of Orders EB. Number of Orders EC. Number of Orders ED. Number of Orders EE. Number of Orders EF. Number of Orders EG. Number of Orders EH. Number of Orders EI. Number of Orders EJ. Number of Orders EK. Number of Orders EL. Number of Orders EM. Number of Orders EN. Number of Orders EO. Number of Orders EP. Number of Orders EQ. Number of Orders ER. Number of Orders ES. Number of Orders ET. Number of Orders EU. Number of Orders EV. Number of Orders EW. Number of Orders EX. Number of Orders EY. Number of Orders EZ. Number of Orders FA. Number of Orders FB. Number of Orders FC. Number of Orders FD. Number of Orders FE. Number of Orders FF. Number of Orders FG. Number of Orders FH. Number of Orders FI. Number of Orders FJ. Number of Orders FK. Number of Orders FL. Number of Orders FM. Number of Orders FN. Number of Orders FO. Number of Orders FP. Number of Orders FQ. Number of Orders FR. Number of Orders FS. Number of Orders FT. Number of Orders FU. Number of Orders FV. Number of Orders FW. Number of Orders FX. Number of Orders FY. Number of Orders FZ. Number of Orders GA. Number of Orders GB. Number of Orders GC. Number of Orders GD. Number of Orders GE. Number of Orders GF. Number of Orders GG. Number of Orders GH. Number of Orders GI. Number of Orders GJ. Number of Orders GK. Number of Orders GL. Number of Orders GM. Number of Orders GN. Number of Orders GO. Number of Orders GP. Number of Orders GQ. Number of Orders GR. Number of Orders GS. Number of Orders GT. Number of Orders GU. Number of Orders GV. Number of Orders GW. Number of Orders GX. Number of Orders GY. Number of Orders GZ. Number of Orders HA. Number of Orders HB. Number of Orders HC. Number of Orders HD. Number of Orders HE. Number of Orders HF. Number of Orders HG. Number of Orders HH. Number of Orders HI. Number of Orders HJ. Number of Orders HK. Number of Orders HL. Number of Orders HM. Number of Orders HN. Number of Orders HO. Number of Orders HP. Number of Orders HQ. Number of Orders HR. Number of Orders HS. Number of Orders HT. Number of Orders HU. Number of Orders HV. Number of Orders HW. Number of Orders HX. Number of Orders HY. Number of Orders HZ. Number of Orders IA. Number of Orders IB. Number of Orders IC. Number of Orders ID. Number of Orders IE. Number of Orders IF. Number of Orders IG. Number of Orders IH. Number of Orders II. Number of Orders IJ. Number of Orders IK. Number of Orders IL. Number of Orders IM. Number of Orders IN. Number of Orders IO. Number of Orders IP. Number of Orders IQ. Number of Orders IR. Number of Orders IS. Number of Orders IT. Number of Orders IU. Number of Orders IV. Number of Orders IW. Number of Orders IX. Number of Orders IY. Number of Orders IZ. Number of Orders JA. Number of Orders JB. Number of Orders JC. Number of Orders JD. Number of Orders JE. Number of Orders JF. Number of Orders JG. Number of Orders JH. Number of Orders JI. Number of Orders JJ. Number of Orders JK. Number of Orders JL. Number of Orders JM. Number of Orders JN. Number of Orders JO. Number of Orders JP. Number of Orders JQ. Number of Orders JR. Number of Orders JS. Number of Orders JT. Number of Orders JU. Number of Orders JV. Number of Orders JW. Number of Orders JX. Number of Orders JY. Number of Orders JZ. Number of Orders KA. Number of Orders KB. Number of Orders KC. Number of Orders KD. Number of Orders KE. Number of Orders KF. Number of Orders KG. Number of Orders KH. Number of Orders KI. Number of Orders KJ. Number of Orders KK. Number of Orders KL. Number of Orders KM. Number of Orders KN. Number of Orders KO. Number of Orders KP. Number of Orders KQ. Number of Orders KR. Number of Orders KS. Number of Orders KT. Number of Orders KU. Number of Orders KV. Number of Orders KW. Number of Orders KX. Number of Orders KY. Number of Orders KZ. Number of Orders LA. Number of Orders LB. Number of Orders LC. Number of Orders LD. Number of Orders LE. Number of Orders LF. Number of Orders LG. Number of Orders LH. Number of Orders LI. Number of Orders LJ. Number of Orders LK. Number of Orders LL. Number of Orders LM. Number of Orders LN. Number of Orders LO. Number of Orders LP. Number of Orders LQ. Number of Orders LR. Number of Orders LS. Number of Orders LT. Number of Orders LU. Number of Orders LV. Number of Orders LW. Number of Orders LX. Number of Orders LY. Number of Orders LZ. Number of Orders MA. Number of Orders MB. Number of Orders MC. Number of Orders MD. Number of Orders ME. Number of Orders MF. Number of Orders MG. Number of Orders MH. Number of Orders MI. Number of Orders MJ. Number of Orders MK. Number of Orders ML. Number of Orders MN. Number of Orders MO. Number of Orders MP. Number of Orders MQ. Number of Orders MR. Number of Orders MS. Number of Orders MT. Number of Orders MU. Number of Orders MV. Number of Orders MW. Number of Orders MX. Number of Orders MY. Number of Orders MZ. Number of Orders NA. Number of Orders NB. Number of Orders NC. Number of Orders ND. Number of Orders NE. Number of Orders NF. Number of Orders NG. Number of Orders NH. Number of Orders NI. Number of Orders NJ. Number of Orders NK. Number of Orders NL. Number of Orders NM. Number of Orders NO. Number of Orders NP. Number of Orders NQ. Number of Orders NR. Number of Orders NS. Number of Orders NT. Number of Orders NU. Number of Orders NV. Number of Orders NW. Number of Orders NX. Number of Orders NY. Number of Orders NZ. Number of Orders OA. Number of Orders OB. Number of Orders OC. Number of Orders OD. Number of Orders OE. Number of Orders OF. Number of Orders OG. Number of Orders OH. Number of Orders OI. Number of Orders OJ. Number of Orders OK. Number of Orders OL. Number of Orders OM. Number of Orders ON. Number of Orders OO. Number of Orders OP. Number of Orders OQ. Number of Orders OR. Number of Orders OS. Number of Orders OT. Number of Orders OU. Number of Orders OV. Number of Orders OW. Number of Orders OX. Number of Orders OY. Number of Orders OZ. Number of Orders PA. Number of Orders PB. Number of Orders PC. Number of Orders PD. Number of Orders PE. Number of Orders PF. Number of Orders PG. Number of Orders PH. Number of Orders PI. Number of Orders PJ. Number of Orders PK. Number of Orders PL. Number of Orders PM. Number of Orders PN. Number of Orders PO. Number of Orders PP. Number of Orders PQ. Number of Orders PR. Number of Orders PS. Number of Orders PT. Number of Orders PU. Number of Orders PV. Number of Orders PW. Number of Orders PX. Number of Orders PY. Number of Orders PZ. Number of Orders QA. Number of Orders QB. Number of Orders QC. Number of Orders QD. Number of Orders QE. Number of Orders QF. Number of Orders QG. Number of Orders QH. Number of Orders QI. Number of Orders QJ. Number of Orders QK. Number of Orders QL. Number of Orders QM. Number of Orders QN. Number of Orders QO. Number of Orders QP. Number of Orders QQ. Number of Orders QR. Number of Orders QS. Number of Orders QT. Number of Orders QU. Number of Orders QV. Number of Orders QW. Number of Orders QX. Number of Orders QY. Number of Orders QZ. Number of Orders RA. Number of Orders RB. Number of Orders RC. Number of Orders RD. Number of Orders RE. Number of Orders RF. Number of Orders RG. Number of Orders RH. Number of Orders RI. Number of Orders RJ. Number of Orders RK. Number of Orders RL. Number of Orders RM. Number of Orders RN. Number of Orders RO. Number of Orders RP. Number of Orders RQ. Number of Orders RR. Number of Orders RS. Number of Orders RT. Number of Orders RU. Number of Orders RV. Number of Orders RW. Number of Orders RX. Number of Orders RY. Number of Orders RZ. Number of Orders SA. Number of Orders SB. Number of Orders SC. Number of Orders SD. Number of Orders SE. Number of Orders SF. Number of Orders SG. Number of Orders SH. Number of Orders SI. Number of Orders SJ. Number of Orders SK. Number of Orders SL. Number of Orders SM. Number of Orders SN. Number of Orders SO. Number of Orders SP. Number of Orders SQ. Number of Orders SR. Number of Orders SS. Number of Orders ST. Number of Orders SU. Number of Orders SV. Number of Orders SW. Number of Orders SX. Number of Orders SY. Number of Orders SZ. Number of Orders TA. Number of Orders TB. Number of Orders TC. Number of Orders TD. Number of Orders TE. Number of Orders TF. Number of Orders TG. Number of Orders TH. Number of Orders TI. Number of Orders TJ. Number of Orders TK. Number of Orders TL. Number of Orders TM. Number of Orders TN. Number of Orders TO. Number of Orders TP. Number of Orders TQ. Number of Orders TR. Number of Orders TS. Number of Orders TT. Number of Orders TU. Number of Orders TV. Number of Orders TW. Number of Orders TX. Number of Orders TY. Number of Orders TZ. Number of Orders UA. Number of Orders UB. Number of Orders UC. Number of Orders UD. Number of Orders UE. Number of Orders UF. Number of Orders UG. Number of Orders UH. Number of Orders UI. Number of Orders UJ. Number of Orders UK. Number of Orders UL. Number of Orders UM. Number of Orders UN. Number of Orders UO. Number of Orders UP. Number of Orders UQ. Number of Orders UR. Number of Orders US. Number of Orders UT. Number of Orders UU. Number of Orders UV. Number of Orders UW. Number of Orders UX. Number of Orders UY. Number of Orders UZ. Number of Orders VA. Number of Orders VB. Number of Orders VC. Number of Orders VD. Number of Orders VE. Number of Orders VF. Number of Orders VG. Number of Orders VH. Number of Orders VI. Number of Orders VJ. Number of Orders VK. Number of Orders VL. Number of Orders VM. Number of Orders VN. Number of Orders VO. Number of Orders VP. Number of Orders VQ. Number of Orders VR. Number of Orders VS. Number of Orders VT. Number of Orders VU. Number of Orders VV. Number of Orders VW. Number of Orders VX. Number of Orders VY. Number of Orders VZ. Number of Orders WA. Number of Orders WB. Number of Orders WC. Number of Orders WD. Number of Orders WE. Number of Orders WF. Number of Orders WG. Number of Orders WH. Number of Orders WI. Number of Orders WJ. Number of Orders WK. Number of Orders WL. Number of Orders WM. Number of Orders WN. Number of Orders WO. Number of Orders WP. Number of Orders WQ. Number of Orders WR. Number of Orders WS. Number of Orders WT. Number of Orders WU. Number of Orders WV. Number of Orders WW. Number of Orders WX. Number of Orders WY. Number of Orders WZ. Number of Orders XA. Number of Orders XB. Number of Orders XC. Number of Orders XD. Number of Orders XE. Number of Orders XF. Number of Orders XG. Number of Orders XH. Number of Orders XI. Number of Orders XJ. Number of Orders XK. Number of Orders XL. Number of Orders XM. Number of Orders XN. Number of Orders XO. Number of Orders XP. Number of Orders XQ. Number of Orders XR. Number of Orders XS. Number of Orders XT. Number of Orders XU. Number of Orders XV. Number of Orders XW. Number of Orders XX. Number of Orders XY. Number of Orders XZ. Number of Orders YA. Number of Orders YB. Number of Orders YC. Number of Orders YD. Number of Orders YE. Number of Orders YF. Number of Orders YG. Number of Orders YH. Number of Orders YI. Number of Orders YJ. Number of Orders YK. Number of Orders YL. Number of Orders YM. Number of Orders YN. Number of Orders YO. Number of Orders YP. Number of Orders YQ. Number of Orders YR. Number of Orders YS. Number of Orders YT. Number of Orders YU. Number of Orders YV. Number of Orders YW. Number of Orders YX. Number of Orders YY. Number of Orders YZ. Number of Orders ZA. Number of Orders ZB. Number of Orders ZC. Number of Orders ZD. Number of Orders ZE. Number of Orders ZF. Number of Orders ZG. Number of Orders ZH. Number of Orders ZI. Number of Orders ZJ. Number of Orders ZK. Number of Orders ZL. Number of Orders ZM. Number of Orders ZN. Number of Orders ZO. Number of Orders ZP. Number of Orders ZQ. Number of Orders ZR. Number of Orders ZS. Number of Orders ZT. Number of Orders ZU. Number of Orders ZV. Number of Orders ZW. Number of Orders ZX. Number of Orders ZY. Number of Orders ZZ. Number of Orders							

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ATTACHMENT TO SF-279

28. Minority Business 1= Yes
(107) 2= No

29. Buy Indian Act 1= Yes
(108) 2= No

30. P.L. 93-638 1= Yes
"Indian Self- (109) 2= No
Determination
and Education
Assistance Act"

31. Subcontracting Plan 1=Yes
Requirement (110) 2=No

32. Contractor/Sub. 1=Yes
Use of Gov't. (111) 2=No
Property

33. Estimated
Completion
Date
(Year in
first 2
positions/
Month in
last 2)

112 113 114 115

34. Contracting
Officer ID # 116 117 118 119 120 121

RESERVED. Spaces 116
through 121 are reserved
for future implementation
of a contracting officer
identification system.

35. Contract
Closeout 357 358 359 360
Date
(Year in
first 2
positions/
Month in
last 2)

Enter the date the contract
is closed out in accordance
with FAR 4.804 and DIAR 140.
Data elements 1 through 7 at
35 only will be completed to
report contract closeout.

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EXHIBIT 2

FFDS—SUMMARY OF CONTRACT ACTIONS OF \$10,000 OR LESS			INTERAGENCY REPORT CONTROL NUMBER		REPORT PERIOD	
REPORTING AGENCY (FFDS Organization Designation Code (Revised))			6885-SEA-OU		PURCHASING OR CONTRACTING OFFICE (Do not use for reporting in FFDS)	
Name			Name		Name	
PART I — TOTAL FREE CONTRACT ACTIONS OF \$10,000 OR LESS						
METHODS OF CONTRACTING (a)	NUMBER OF ACTIONS (b)	NET DOLLAR AMOUNT (Round to nearest thousand)				
		TOTAL (c)	SMALL BUSINESS CONCERNS (d)	LARGE BUSINESS CONCERNS (e)	EDUCATIONAL AND NON-PROFIT INSTITUTIONS (f)	OUTSIDE U.S./ OUTLYING AREAS (g)
1. TOTAL (1 + 7 + 8)						
2. Subtotal (2 + 4 + 6 + 8)						
3. Formally Advertised (including 2 Step)						
4. Negotiated Competitive						
5. Negotiated Non-Competitive						
6. Procurement Under Another Agency's Contract						
6a. GSA Schedule						
6b. Another Agency's Contract						
7. Directed Contracts for Foreign Governments						
8. Tariff or Regulated Acquisitions						
PART II — STATISTICS ON SELECTED TYPES OF ACQUISITION (Breakdown of contract actions reported in Part I)						
TYPE OF ACQUISITION (a)	NUMBER OF ACTIONS (b)	NET DOLLAR AMOUNT (Round to nearest thousand) (c)				
9. Small Business Total Set-Asides						
10. Small Business Partial Set-Asides						
11. Total Labor Surplus Area Set-Asides						
12. Total Labor Surplus Area/Small Business Set-Asides						
13. Acquisitions from Minority and Disadvantaged Business Enterprises (13a) + (13b)						
13a. Direct to Large or Small Minority Business Enterprises						
13b. Small Business—Disadvantaged (8a)						
14. Woman-Owned Business						
REMARKS						
DATE SUBMITTED	CONTRACTING OFFICER OR REPRESENTATIVE (Typed name and signature)	TELEPHONE NUMBER				

**SUBCONTRACTING REPORT ON SELECTED PRIME CONTRACTS
AND AWARDS TO HISTORICALLY BLACK COLLEGES AND UNIVERSITIES**

REPORTING BUREAU: _____ PERIOD COVERED: _____ to _____

REFER QUESTIONS TO: _____

I - SMALL BUSINESS SUBCONTRACTING PROGRAM

PROCUREMENTS REPORTED	NET DOLLAR AMOUNT PROCURED (\$000)		
	TOTAL	SMALL BUSINESS CONTRACTS	OTHER THAN SMALL BUSINESS
1. Subcontract and Purchase Commitments Under the Small Business Subcontracting Program			

1a. Number of Prime Contractors Submitting Small Business Subcontracting Report:
No. - _____

II - DISADVANTAGED/MINORITY BUSINESS SUBCONTRACTING PROGRAM

PROCUREMENTS REPORTED	NET DOLLAR AMOUNT PROCURED (\$000)		
	TOTAL	DISADVANT- AGED/MIN. BUSINESS	OTHER THAN DISADV./MIN. BUSINESS
2. Subcontract and Purchase Commitments under the Disadvantaged/Minority Business Subcontracting Program			

2a. Number of Prime Contractors Submitting Disadvantaged/Minority Business Subcontracting Reports.
No. - _____

III - HISTORICALLY BLACK COLLEGES AND UNIVERSITIES RECENT AWARDS

	Number of Actions	Total Dollars (Amt. in \$000)
3a. PROCUREMENT AWARDS		
3b. GRANTS		
3c. Cooperative Agreements		

* THIS FORM IS TO BE ATTACHED AND SUBMITTED WITH THE SF-281 "SUMMARY OF CONTRACT ACTIONS OF \$10,000 OR LESS."

LABOR STANDARDS ENFORCEMENT REPORT

1. Period covered: _____

	<u>*Construction</u>	<u>**Non-Construction</u>
2. Number of contracts awarded:	_____	_____
3. Total dollar amount of prime contracts awarded:	_____	_____
4. Number of contractors/ subcontractors against whom complaints were received:	_____	_____
5. Number of investigations completed:	_____	_____
6. Number of contractors/ subcontractors found in violation:	_____	_____
7. Amount of wage restitution found due:		
(a) Davis-Bacon and Related Acts:	_____	_____
(b) Contract Work Hours and Safety Standards Act:	_____	_____
8. Number of employees due wage restitution under the Davis- Bacon and Related Acts and/or the Contract Work Hours and Safety Standards Act:	_____	_____
9. Amount of liquidated damages assessed under the Contract Work Hours and Safety Standards Act:	_____	_____
10. Name, title, agency, and telephone number of person submitting report:	_____	_____

11. Remarks: _____

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AGREEMENTS

DATA SHEET

1. Agreement Number: _____
2. Parties to Agreement:
 - a. National Park Service (WASO Division, Region, Park)

 - b. Other(s) (Organization Name and Address)

3. National Park Service Funding Data (If Applicable):
 - a. Amount to be Obligated (Current FY) \$ _____
 - b. Account Number _____
 - c. Object Class _____
4. Type of Report (Circle) and Term (Year, Month, Day):
 - a. Basic Beginning Date _____ Ending Date _____
 - b. Reaffirmation Beginning Date _____ Ending Date _____
 - c. Supplemental/Modification Beginning Date _____ Ending Date _____
5. Purpose of Agreement: _____

6. Category Code:
 - a. Primary _____
 - b. Secondary _____
7. Signature: _____

Name, Title, Office of Official Signing Agreement	Signature (Official Signing Agreement)	Date

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Instructions for Data Sheet

1. **Agreement Number** - to be consistent with other entries in the PFM system, beginning in FY 1983 (or when this Guideline is published), the agreement number shall be constructed as follows:

Type of Agreement (2 digits) - Originating Office Code (4 digits) - Fiscal Year in which signed (1 digit) - Serial Number (4 digits beginning with digit which represents decade)--e.g., 1A-0475-5-8001)

The type of agreement shall be coded as follows:

CA Cooperative Agreement
IA Interagency Agreement
MU Memorandum of Understanding
MA Memorandum of Agreement

Existing agreement numbers need not be changed unless there is a new fund citation for FY 1983, or later. In that case a new number must be assigned to make the agreement an obligating document. Normally agreements carry their original numbers when reaffirmed or amended and are renumbered only when rewritten, at which time the old agreement should be reported as terminated.

Agreements signed by the Secretary or the Assistant Secretary will be carried in the cataloging system for information purposes but will be exempt from the five-year term requirement. These agreements will be carried as CA-SECY-2-8001 (for example) for Secretary, or CA-ASFW-2-8002 (for example) for the Assistant Secretary for Fish and Wildlife and Parks. SECY and ASFW numbers are assigned by the Administrative Services Division, WASO.

2. **Parties to the Agreement** - List all parties to the agreement.
3. **Funding** - Provide NPS funding data as indicated.
4. **Type of report** - underline Type and fill in Term of Agreement. For basic report provide beginning and ending dates; the term cannot exceed five years unless justified in writing. For reaffirmation or supplemental reports provide the beginning and ending dates for the basic in addition to the term of the reaffirmation or supplemental agreement.
5. **Purpose of Agreement** - A short description of the purpose of the agreement.

6. **Category Code** - the category codes are listed below.

Agreements will normally fall clearly into one category. In case of overlap, determine which predominates and assign that category number as the primary and the next most significant category as the secondary.

7. **Signing Official** - Name, Title, Office, Signature and Date

Category Codes - Apply only to agreement instruments covered in this Guideline.

01. Fire - Agreements establishing mutual fire control assistance--both wildlife and structural.
02. Natural Resource Management - Fish, wildlife, soil and moisture, etc.
03. Preservation of Historic Properties - Agreements relating to the maintenance and preservation of historic properties. This category may also be used for those agreements providing for donations for the restoration of such properties. Section 106 clearances must be obtained but are exempt from requirements of this guideline and need not be reported.
04. Research - Agreements with universities, colleges and other educational institutions, private foundations, groups, etc., or with other governmental bodies for the purpose of conducting research.
05. Utilities and Environmental Monitoring Devices - Non-procurement agreements which relate to the provision of water, sewer, power, telephone service, garbage disposal, etc., as well as the placement on Park Service lands of environmental monitoring devices such as rain, flood, or snow gauges.
06. Student and Youth Employment - Agreements with educational or other institutions for the employment of students or youths such as college intern programs, WIN, etc. (Cooperative education agreements are not reportable)
07. Interpretation and Orientation - Agreements for interpretation in the parks (such as cooperating associations, local historical societies, etc.) and for other purposes such as the provision of information or other orientation services.

08. Construction and Maintenance - Agreements which cover buildings, roads, trails, signs, and equipment of a non-procurement nature not specifically identified to another category.
09. Transportation and Vehicular Use and Maintenance - Non-procurement agreements related to transportation or the maintenance and servicing of vehicles to include bus tours, aircraft use, parking facilities, and other such uses, normally with other government bureaus or agencies.
10. Lands and Buildings - Non-procurement agreements which cover road access, building use, etc.
11. Public Health, Safety and Protection - Law enforcement agreements relating to radio frequencies and installations.
12. Shared Planning, Development, Administration and Operations - Agreements which establish joint operations, mutual planning, recognition of mission, etc.
13. Technical Assistance - Agreements which provide for technical assistance to other parties which may include training, planning, information dissemination, etc.

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OMB Approval No. 0348-0008

FEDERAL ASSISTANCE		2. APPLICANT'S APPLICATION IDENTIFIER	a. NUMBER	3. STATE APPLICATION IDENTIFIER	a. NUMBER
1. TYPE OF SUBMISSION (Mark appropriate box) <input type="checkbox"/> NOTICE OF INTENT (OPTIONAL) <input type="checkbox"/> PREAPPLICATION <input type="checkbox"/> APPLICATION	b. DATE Year month day 19	b. DATE Year month day 19	NOTE TO BE ASSIGNED BY STATE	b. DATE ASSIGNED Year month day 19	
Leave Blank					
4. LEGAL APPLICANT/RECIPIENT a. Applicant Name b. Organization Unit c. Street/P.O. Box d. City e. State f. Contact Person (Name & Telephone No.)			5. EMPLOYER IDENTIFICATION NUMBER (EIN) a. NUMBER b. TITLE		
7. TITLE OF APPLICANT'S PROJECT (Use section IV of this form to provide a summary description of the project.)			6. TYPE OF APPLICANT/RECIPIENT A-State B-County C-City D-Other E-County F-City G-Other H-Community Action Agency I-Higher Educational Institution J-Indian Tribe K-Other Enter appropriate letter <input type="checkbox"/>		
8. AREA OF PROJECT IMPACT (Names of cities, counties, states, etc.)			10. ESTIMATED NUMBER OF PERSONS BENEFITING A-State B-County C-City D-Other Enter appropriate letter <input type="checkbox"/>		
12. PROPOSED FUNDING a. FEDERAL \$.00 b. APPLICANT .00 c. STATE .00 d. LOCAL .00 e. OTHER .00 f. Total \$.00		13. CONGRESSIONAL DISTRICTS OF: a. APPLICANT b. PROJECT 15. PROJECT START DATE Year month day 19 18. DATE DUE TO FEDERAL AGENCY Year month day 19		14. TYPE OF APPLICATION A-New B-Renewal C-Extension D-Continuation E-Augmentation Enter appropriate letter <input type="checkbox"/>	
19. FEDERAL AGENCY TO RECEIVE REQUEST a. ORGANIZATIONAL UNIT (IF APPROPRIATE) c. ADDRESS		16. PROJECT DURATION Months 17. TYPE OF CHANGE (For New or Old) A-Extension B-Extension C-Extension D-Extension E-Extension F-Other Enter appropriate letter <input type="checkbox"/>		20. EXISTING FEDERAL GRANT IDENTIFICATION NUMBER	
22. THE APPLICANT CERTIFIES THAT: To the best of my knowledge and belief, data in this preapplication/application are true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurance if the assistance is approved.		21. REMARKS ADDED <input type="checkbox"/> Yes <input type="checkbox"/> No			
23. CERTIFYING REPRESENTATIVE a. TYPED NAME AND TITLE b. SIGNATURE		24. APPLICATION RECEIVED 19 Year month day			
25. FEDERAL APPLICATION IDENTIFICATION NUMBER		26. FEDERAL GRANT IDENTIFICATION			
27. ACTION TAKEN <input type="checkbox"/> a. AWARDED <input type="checkbox"/> b. REJECTED <input type="checkbox"/> c. RETURNED FOR AMENDMENT <input type="checkbox"/> d. RETURNED FOR E.O. 12372 SUBMISSION BY APPLICANT TO STATE <input type="checkbox"/> e. DEPRECATED <input type="checkbox"/> f. WITHDRAWN		28. FUNDING a. FEDERAL \$.00 b. APPLICANT .00 c. STATE .00 d. LOCAL .00 e. OTHER .00 f. TOTAL \$.00		29. ACTION DATE Year month day 19 30. STARTING DATE Year month day 19 31. CONTACT FOR ADDITIONAL INFORMATION (Name and telephone number) 32. ENDING DATE Year month day 19 33. REMARKS ADDED <input type="checkbox"/> Yes <input type="checkbox"/> No	

GENERAL INSTRUCTIONS FOR THE SF-434

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted in accordance with OMB Circular A-102. It will be used by Federal agencies to obtain applicant certification that states which have established review and comment procedure in response to Executive Order 12372 and have selected the program to be included in process have been given an opportunity to review the applicant's submission.

APPLICANT PROCEDURES FOR SECTION I

Applicant will complete all items in Section I with the exception of Box 3, "State Application Identifier." If an item is not applicable, write "NA." If additional is needed, insert an asterisk "*" and use Section IV. An explanation follows for each item:

- | Item | Item |
|---|---|
| 1. Mark appropriate box. Preapplication and application are described in OMB Circular A-102 and Federal agency program instructions. Use of this form as a Notice of Intent is at State option. Federal agencies do not require Notices of Intent. | (a revision or augmentation under item 14), indicate only the amount of the change. For decreases, enclose the amount in parentheses. If basic and supplemental amounts are included, breakout in Section IV. For multiple program funding, use totals and show program breakout in Section IV. 12a—amount requested from Federal Government; 12b—amount applicant will contribute; 12c—amount from State; 12d—amount from local government; 12e—amount from any other sources, explain in Section IV. |
| 2a. Applicant's own control number, if desired. | |
| 2b. Date Section I is prepared (at applicant's option). | |
| 3a. Number assigned by State. | |
| 3b. Date assigned by State. | |
| 4a-4h. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of applicant, and name and telephone number of the person who can provide further information about this request. | 13b. The district(s) where most of action work will be accomplished. If wide or State-wide, covering several districts, write "city-wide" or "State-wide." |
| 5. Employer Identification Number (EIN) of applicant as assigned by the Internal Revenue Service. | 14. A. New. A submittal for project not previously funded.
B. Renewal. An extension for an additional funding/budget period project having no projected completion date, but for which Federal support must be renewed each year.
C. Revision. A modification to project nature or scope which may result in funding change (increase or decrease).
D. Continuation. An extension for an additional funding/budget period for a project with a projected completion date.
E. Augmentation. A requirement for additional funds for a project previously awarded funds in the same funding/budget period. Project nature and scope unchanged. |
| 6a. Use Catalog of Federal Domestic Assistance (CFDA) number assigned to program under which assistance is requested. If more than one program (e.g., joint funding), check "multiple" and explain in Section IV. If unknown, cite Public Law or U.S. Code. | 15. Approximate date project expected to begin (usually associated with estimated date of availability of funding). |
| 6b. Program title from CFDA. Abbreviate if necessary. | 16. Estimated number of months to complete project after Federal funds are available. |
| 7. Use Section IV to provide a summary description of the project. If appropriate, i.e., if project affects particular sites such as, for example, construction or real property projects, attach a map showing the project location. | 17. Complete only for revisions (item 14c), or augmentations (item 14e). |
| 8. "City" includes town, township or other municipality. | 18. Date preapplication/application must be submitted to Federal agency in order to be eligible for funding consideration. |
| 9. List only largest unit or units affected, such as State, county, or city. | 19. Name and address of the Federal agency to which this request is addressed. Indicate as clearly as possible the name of the office to which the application will be delivered. |
| 10. Estimated number of persons directly benefiting from project. | 20. Existing Federal grant identification number if this is not a new request and directly relates to a previous Federal action. Otherwise, write "NA." |
| 11. Check the type(s) of assistance requested.
A. Basic Grant—an original request for Federal funds.
B. Supplemental Grant—a request to increase a basic grant in certain cases where the eligible applicant cannot supply the required matching share of the basic Federal program (e.g., grants awarded by the Appalachian Regional Commission to provide the applicant with a matching share).
E. Other. Explain in Section IV. | 21. Check appropriate box as to whether Section IV of form contains remarks and/or additional remarks are attached. |
| 12. Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included. If the action is a change in dollar amount of an existing grant | |

APPLICANT PROCEDURES FOR SECTION II

Applicants will always complete either item 22a or 22b and items 23a and 23b.

- | | |
|--|--|
| 22a. Complete if application is subject to Executive Order 12372 (State review and comment). | 22b. Check if application is not subject to E.O. 12372. |
| | 23a. Name and title of authorized representative of legal applicant. |

FEDERAL AGENCY PROCEDURES FOR SECTION III

Applicant completes only Sections I and II. Section III is completed by Federal agencies.

- | | |
|--|--|
| 26. Use to identify award actions. | will contribute. 28c—amount from State, if applicant is not a State; 28d—amount from local government, if applicant is not a local government; 28e—amount from any other sources, explain in Section IV. |
| 27. Use Section IV to amplify where appropriate. | 29. Date action was taken on this request. |
| 28. Amount to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions will be included. If the action is a change in dollar amount of an existing grant (a revision or augmentation under item 14), indicate only the amount of change. For decreases, enclose the amount in parentheses. If both basic and supplemental amounts are included, breakout in Section IV. For multiple program funding, use totals and show program breakouts in Section IV. 28a—amount awarded by Federal Government; 28b—amount applicant | 30. Date funds will become available. |
| | 31. Name and telephone number of agency person who can provide more information regarding this assistance. |
| | 32. Date after which funds will no longer be available for obligation. |
| | 33. Check appropriate box as to whether Section IV of form contains Federal remarks and/or attachment of additional remarks. |

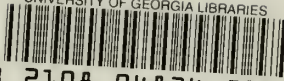
ACQUISITION
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Chapter 13
EXHIBIT 7

Reporting Schedule

<u>Due Date</u>	<u>Report Title and No.</u>
1. Upon execution of contract	FPDS Individual Contract Action Report Over \$10,000, SF-279 and Interior-Specific Attachment
2. 10 days after end of quarter 01-10, 04-10, 07-10 and 10-10	Summary of Contract Actions of \$10,000 or Less (excludes small purchase transactions, SF-281
3. 10 days after end of quarter 01-10, 04-10, 07-10 and 10-10	Subcontracting Report on Selected Prime Contracts and Awards to Historically Black Colleges and Universities, SF-281-Attachment
4. 5 days after end of 2nd and 4th quarters (04-05 and 10-05)	Semiannual Labor Standards Enforcement Report, NONE
5. 30 days after Agreement Execution	Agreements Data Sheet, NONE
6. 30 days after Cooperative Agreement Execution	Federal Assistance Report, SF-424
7. 40 days after end of FY (no later than 11-10)	Summary of Planned Contract Actions, NONE
8. 40 days after end of FY (no later than 11-10)	Consolidated Advance Procurement Plan, NONE
9. 10 days after end of quarter except 4th quarter (01-10, 04-10, and 07-10)	Summary of Planned Contract Actions (Update), NONE
10. 10 days after end of quarter except 4th quarter (01-10, 04-10, and, 07-10)	Consolidated Advance Procurement Plan (Update), NONE

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